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DOCUMENTS

OF THE

SENATE

OF THE

STATE OF NEW-YORK,

SEVENTY-FIFTH SESSION.

1852.

VOLUME 1.

No. 1 to No. 50, INCLUSIVE.

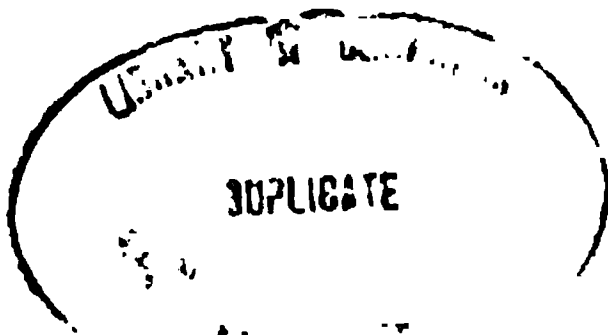
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1852.

044



State of New-York.

No. 1.

IN SENATE, JAN. 6, 1852.

RULES AND ORDERS OF THE SENATE.

(Adopted January 8, 1851.)

1. The President having taken the chair at the hour to which the Senate shall have adjourned, and a quorum being present, the journal of the preceding day shall be read, to the end that any mistake therein may be corrected.

2. After the reading and approving of the journal, the order of business shall be as follows :

1. The presentation of petitions.
2. Reports of standing committees.
3. Reports of select committees.
4. Messages from the Governor.
5. Messages from the Assembly.
6. Communications and reports from State officers.
7. Notices and the introduction of bills.
8. Motions and resolutions.
9. Third reading of bills.
10. Special orders.
11. General orders, but messages from the Governor and Assembly, and communications and reports from State officers, may be considered at any time.

3. The clerk shall make a list of all bills and of resolutions proposing amendments to the Constitution, and of all other matters which shall be committed to a committee of the whole, in

which they shall be arranged in the order in which they were introduced; which list shall be called the *General Orders of the Day*. And all such matters shall be taken up and acted upon in the several orders of business in which they may be, in the order in which they stand upon the General Orders, unless the Senate shall otherwise direct.

4. Whenever any bill or other matter is made the special order for a particular day, and it shall not be completed on that day, it shall retain its place in the general orders of the day, unless it shall be made the special order for another day.

5. All questions relating to the priority of business, shall be decided without debate.

6. When the reading of a paper is called for, except petitions, and the same is objected to by any member, it shall be determined by a vote of the Senate, without debate.

7. No member shall speak to another, or otherwise interrupt the business of the Senate, or read any newspaper, while the journals or public papers are reading; and when the President is putting a question, no Senator shall walk out of or across the House, nor when a Senator is speaking, pass between him and the chair.

8. The President shall have the right to name any member to perform the duties of the chair, who is hereby vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding, nor shall his power as such substitute continue for a longer time than one day, without leave of the Senate.

9. Every member, when he speaks, shall address the chair, standing in his place. No member shall speak more than twice in any one debate on the same day without leave of the Senate.

10. When two or more members rise at once, the President shall name the member who is first to speak.

11. No motion shall be debated until the same be seconded; and it shall be reduced to writing, if desired by the President or any

member, delivered in at the table, and read by the President or clerk, before the same shall be debated ; but it may be withdrawn at any time before decision or amendment.

12. When a question is before the Senate, no motion shall be received, unless to lay on the table, for an amendment, for postponing it, to commit it, or to adjourn ; and a motion for adjournment shall always be in order and shall be decided without debate.

13. If the question in debate contain several points, any member may have the same divided.

14. A motion for commitment, until it is decided, shall preclude all amendments of the main proposition.

15. Every bill shall be introduced by motion for leave or by order of the Senate on the report of a committee ; and one day's notice at least shall be given of an intended motion for leave to bring in a bill, unless the Senate unanimously order otherwise. Such notice shall state generally the subject matter of such bill.

16. Every bill shall receive three readings previous to its being passed, and the President shall give notice at each whether it be the first, second or third ; which reading shall be on three different days, unless the Senate unanimously direct otherwise. No bill shall be amended or committed until it shall have been twice read ; and all resolutions which propose any amendment to the Constitution, shall be treated in the form of proceedings on them, in a similar manner with bills, except that it shall not be necessary to commit such resolutions to a committee of the whole.

17. Upon a division in the Senate, the names of those who voted for or against a question shall be entered alphabetically on the minutes, if two members require it ; and each member called upon, unless, for special reasons, he be excused by the Senate, shall declare openly and without debate, his assent or dissent to the question.

18. In forming a committee of the whole Senate, a chairman, to be named by the President, shall preside. Bills committed to a committee of the whole Senate, shall, in committee of the whole, be read by sections. All amendments shall be noted, and reported to the Senate by the chairman. After the report, the bill shall still be subject to debate and amendment before the question to engross is put; but such amendments only shall be in order as were offered and decided in the committee of the whole Senate, except by unanimous consent.

19. The rules of the Senate shall be observed in the committee of the whole, so far as may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken. Such committee may strike out the enacting clause of a bill, and report that fact to the Senate; and if the report be agreed to by the Senate; it shall be deemed a rejection of the bill.

20. A motion that the committee rise, shall always be in order, and shall be decided without debate.

21. After a bill or a resolution to amend the Constitution shall be ordered to a third reading, no motion to amend the same shall be in order without unanimous consent; nor, in respect to a bill, shall such motion be in order, unless before it has had its third reading; but every bill not committed to a committee of the whole, shall be read through before it shall be ordered to a third reading.

22. When a member shall be called to order, he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any two members; and if a member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the President or Senate may be better enabled to judge of the matter.

23. When a blank is to be filled, and different sums or time shall be proposed, the question shall be first taken on the highest sum and the longest time.

24. No member shall absent himself from the service of the Senate, without leave first obtained; and in case a less number than a quorum of the Senate shall convene, they are hereby authorized to send a sergeant-at-arms, or any other person, for any or all absent members, as the majority of such members shall agree.

25. Before any petition or memorial addressed to the Senate shall be received or read, a brief statement of the contents thereof shall be endorsed on the same, with the name of the member introducing it.

26. When a question has been once put and decided, it shall be in order for any member to move for the reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment or motion upon which the vote was taken, shall have gone out of the possession of the Senate, nor after the usual message shall have been sent from the Senate, announcing its decision; nor shall any motion for reconsideration be in order, unless made on the same day in which the vote was taken, or within the three next days of the actual session of the Senate thereafter; nor shall any question be reconsidered more than once; and the vote on the final passage of any bill appropriating the public moneys or property, or creating, continuing, altering, or renewing any body politic or corporate shall not be reconsidered, whenever such bill shall be lost.

27. The following are the standing committees of the Senate :

1. On claims.
2. On finance.
3. On the judiciary.
4. On the militia.
5. On canals.
6. On railroads.
7. On roads and bridges.
8. On literature.
9. On state prisons.
10. On banks and insurance companies.
11. On the division of counties and towns.

12. On agriculture.
13. On commerce and navigation.
14. On manufactures.
15. On medical societies and medical colleges.
16. On privileges and elections.
17. On engrossed bills.
18. On Indian affairs.
19. On expiring laws.
20. On public expenditures.
21. On the incorporation of cities and villages.
22. On public buildings.
23. On the poor laws.
24. On charitable and religious societies.
25. On retrenchment.
26. On grievances.
27. Manufacture of salt.
28. Internal affairs of towns and counties.
29. On public printing—And every motion to print any petition, resolution, report, bill, message, or other manuscript, shall be referred to such committee. Such committee may report adversely to such printing; or they may report the number of copies which, in their opinion, ought to be printed; or they may recommend a part only of such papers to be printed; but no more than 1000 extra copies of any message from the Governor, nor more than 300 extra copies of any other document, shall be ordered to be printed, unless by a majority of all the Senators elected.

28. When an amendment to the Constitution, or any bill requiring the concurrence of two-thirds of the Senators, is under consideration, the concurrence of two-thirds shall not be requisite to decide any question for amendments, or extending to the merits, being short of the final question.

29. On motion made and seconded to close the doors of the Senate, on the discussion of any business which may, in the opinion of any member, require secrecy, the President shall direct all persons, except the members and clerk of the Senate, to withdraw; and during the discussion of said motion, the doors

shall remain shut; and every member and officer of the Senate shall keep secret all such matters, proceedings, and things, whereof secrecy shall be enjoined by order of the Senate.

30. The proceedings of the Senate upon executive business, shall be kept in a journal separate from its proceedings upon legislative business.

31. The Senate shall go into the consideration of executive business on such days as may from time to time be deemed necessary. All nominations for the appointment of any officer shall be referred to a committee consisting of the senators from the judicial district within which the nominee may reside, and a future day for the consideration of all nominations, shall be assigned, and the consent of the Senate to the appointment of any officer, shall not be transmitted in less than one week thereafter, without the unanimous consent of the Senate; and while any nomination remains with the Senate, it shall be in order to reconsider any vote taken thereon.

32. All information and remarks in secret session by any Senator, concerning the character or qualifications of any person nominated to office by the Governor, shall be kept secret.

33. When a bill, originated in the Assembly, shall have been lost there, neither the same, nor any other bill on the same subject, and containing similar provisions, shall be subsequently introduced into the Senate during the same session, unless by unanimous consent.

34. No person is to be admitted within the bar of the Senate, except gentlemen with ladies, the Governor and Lieutenant-Governor, former Governors and Lieutenant-Governors, former Chancellors, Justices of the Court of Appeals, Justices of the Supreme Court, former Judges of the Supreme Court, Members of Congress, former Members of Congress, Members of the Legislature, former Members of the Legislature, State Officers, Governor's private and military secretary, the Adjutant-General, officers of the Senate, officers of the Assembly, reporters of the Senate, persons introduced by Senators.

35. None but the president, members, and clerk shall be allowed to take any books or stationery belonging to the Senate, from their chamber; and on taking books, each of the persons above mentioned shall furnish to the clerk a list of those taken, and his name, and shall be responsible for them; and the clerk shall take care that once in each week the books provided for the use of the Senate shall be placed in order, according to some fixed arrangement; and he shall make report to the president of such books as are missing.

36. The committee on engrossed bills shall examine all bills, amendments and resolutions, before they go out of possession of the Senate, and make report when they find them correctly engrossed; reports from the committee on engrossed bills shall at all times be in order. And the clerk of the Senate shall present such bills as shall have originated in the Senate, and been passed by both houses, to the Governor, and enter the same upon the journals.

37. All concurrent resolutions shall lie one day on the table.

38. When a resolution shall be offered, or a motion made, to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order, viz:

1. The committee of the whole Senate.
2. A standing committee.
3. A select committee.

39. When a bill shall be reported by a committee of the whole, and not laid upon the table or postponed, or by any other committee (excepting the committee on engrossed bills) and not committed to a committee of the whole, laid on the table, or postponed, the question shall be: Shall the report be agreed to? and when such report shall be favorable and agreed to, or when a bill shall be twice read and not laid on the table, or postponed, the question shall be: Shall such bill be engrossed and read a third time? Upon such question the merits of the bill or resolution may be debated, and a motion to commit or recommit, to lay on the table, or to postpone to a future day, shall be in order.

If such question shall be decided in the negative, such bill shall be deemed lost; but if it be decided in the affirmative, such bill shall, when the Senate shall order, be read a third time, and the final question shall be taken thereon, immediately after such third reading, and without debate.

40. The question on the final passage of every bill shall be taken by ayes and noes, which shall be entered on the journal; and unless the bill receives the number of votes required by the Constitution to pass it, it shall be declared lost, except in cases provided for by the 41st rule.

41. If on taking the final question on a bill, it shall appear that a constitutional quorum is not present, or if the bill require a vote of two-thirds of all the members elected to pass it, and it appears that such number is not present, the bill shall be laid on the table, and shall be again read, and the final question taken thereon, as provided in the 40th rule, at such time as the Senate shall order.

42. It shall be the duty of the sergeant-at-arms to have the documents and bills upon the files of the President and Senators, placed in the order of their numbers; and for this purpose, the messengers shall be subject to his directions.

43. No rule of the Senate shall be altered, suspended or rescinded, without a vote of a majority of all the members present of the Senate; and no motion to suspend, alter or rescind any such rule, or any joint rule of the two houses, shall be in order without the unanimous consent of the Senate, unless one day's previous notice thereof shall have been given.

44. Every report of a committee upon a bill which shall not be considered at the time of making the same, or laid on the table by a vote of the Senate, shall stand upon the general orders with the bill, in the place in which the bill was placed thereon, and subject to the provisions of the third rule; but if a bill is made the special order of any day, and shall on that day be reported by a committee of the whole, the report may be forthwith considered unless the Senate shall otherwise order; and if not finished on that day, the bill with the report shall retain its

place on the general orders, unless made the special order for another day, and the merits of a bill shall not be considered except under the head of general or special orders, unless by unanimous consent.

45. The president shall assign to the doorkeepers their respective duties and stations.

State of New-York.

No. 2.

IN SENATE, JAN. 6, 1852.

GOVERNOR'S MESSAGE.

Fellow Citizens of the Senate and of the Assembly :

The opening of the seventy-fifth annual session of the Legislature of New-York, since the establishment of our republican Constitution, is an event peculiarly suggestive of grateful memories and patriotic hopes. Three quarters of a century have passed away since our ancestors, uniting with the sister colonies in renouncing dependence on a distant monarchy, and appealing to Heaven for the justice of their cause, proclaimed the sacred right of self-government, and assumed the attitude of a free and sovereign State. It is profitable to recur to the spirit of wisdom and patriotism which guided our legislative councils at that trying period. Compelled to deliberate amid the strife of opposing armies, and surrounded by difficulties which called for the highest exercise of capacity and energy, your early predecessors gained a double title to the public gratitude. While their prudent but vigorous measures sustained our arms and carried the country in triumph through its long struggle for independence, they accomplished the more difficult work of framing a system of representative government based upon principles of justice, equality and social order, combining popular freedom with those salutary restraints which history has shown to be necessary for the protection of the citizen in the peaceful enjoyment of his rights.

Experience has vindicated the wisdom of the political theory adopted by the statesmen of the revolutionary era. Within a period comparatively brief in the history of governments, the American Union has attained a prominent rank among the nations of the earth; and New-York, the feeble and bleeding colony of 1776, has become a great and powerful commonwealth, holding a high place among the States of the confederacy. Under the beneficent operation of free principles, our progress has been rapid beyond example. The blessings of liberty and security have stimulated the best energies of our people and developed their capability for moral, intellectual and physical improvement.

A system of education by which knowledge is placed within the reach of all, and our youth are taught to comprehend the rights and duties of citizenship; the supremacy of law and order; a rapid proficiency in the arts which multiply the enjoyments and elevate the character of society; artificial communications connecting the ocean with the lakes beyond our borders, and dispensing to every section of the State the benefits of easy intercourse; the consequent advancement of every agricultural, mechanical and commercial interest, are results which serve to demonstrate the advantages of free institutions, and the capacity of our people to preserve them in their original vigor and integrity.

When we contemplate a scene so gratifying, and reflect upon the progress that has been made by the inhabitants of this continent in the short space of two centuries, in advancing the welfare of mankind, the mind is filled with gratitude towards the Supreme Ruler of the world, whose moral government guides the destiny of nations.

In the discharge of my obligation to communicate to the Legislature information respecting the condition of the State, I would first invite your attention to the situation of the finances.

The amount of the State debt at the close of the last fiscal year, September 30, 1851, was as follows:

Canal Debt,	\$15,301,109 16
General Fund Debt,	6,389,693 32
	<hr/>
	\$21,690,802 43
	<hr/>

Shewing a reduction of principal in the past year of \$840,000. It is believed that the amount of the debt, as now reported by the financial departments, cannot be materially varied by the unliquidated claims existing anterior to the creation of the Sinking Funds by the Constitution of 1846.

At that time large sums were due to citizens on canal contracts partly executed, and for private property taken for canal purposes. These claims constituted in fact part of the public debt then subsisting, and the Legislature afterwards made them expressly chargeable upon the Canal Sinking Fund. But as the amount due on them was uncertain, and could not be ascertained until a final adjudication by the Canal Appraisers or the Canal Board, this portion of the liability was not included in the original or subsequent exhibits of the funded debt. Hence the payments made from the Sinking Fund on that class of obligations, though reducing the debt in reality, did not diminish the apparent amount as shown in the annual report of outstanding stocks. The most of the unliquidated claims have now been extinguished, and the future reduction, by the operation of the Sinking Fund, will be regular and rapid, and more effective than heretofore upon the funded debt. It is safe to assume that the entire debt existing at the adoption of the present Constitution, will be discharged by the annual contributions from the canal revenue to the Sinking Funds, within seventeen years.

The amount of money in the treasury on the 30th of September, belonging to all the funds was \$1,897,048.25. The balance in favor of the General Fund on that day was, \$15,753.87. It is estimated that the current revenues of the General Fund, during the present fiscal year, will be sufficient for all the ordinary expenses of government, including the special appropriations made by the last Legislature. This estimate does not include the moneys to be derived from the next tax sale, which is to be held before the close of 1852, and which will yield about \$175,000 ;

nor the further amount due the treasury for arrears of taxes assessed on mutual insurance companies and certain Indian reservations, from which about \$150,000 ought to be realized in the course of the coming year. Proceedings in relation to some of these taxes have been long pending in the courts, and it is hoped they will soon be brought to a final decision. In considering the various applications that will come before you for grants of money in aid of public enterprises, it is important to keep in view the actual condition of the treasury, and to limit the appropriations within the reliable revenues of the General Fund. This fund is fully sufficient for all ordinary purposes, so long as our legislation is governed by correct views of economy ; and the additional resources above referred to will enable you to make some provision for new objects of public utility.

In selecting those objects, you will doubtless exercise a just discrimination, independent of all extraneous influences ; and in the ordinary appropriations it is believed that some reductions may be made without injury to the public service.

The act passed by the last Legislature, intended to compel the assessors to estimate taxable property at its full value, has resulted in a large increase of the valuation. In 1850, the entire real and personal estate was assessed at \$727,494,583 ; in 1851, the total assessment was about \$1100,000,000, being an increase of nearly \$400,000,000. This produces a corresponding increase in the proceeds of the half mill tax, which is predicated on the entire valuation. The State tax ought not, under any circumstances, to be larger than is necessary for the support of a wise and economical administration. I would recommend a careful examination of the subject, with a view to determine whether the half mill tax may not safely be reduced to a smaller ratio. Notwithstanding the important amendments adopted by the last Legislature, it is believed that the assessment laws require some further modifications for the purpose of securing a more equitable distribution of the public burthens.

While real estate of every description is assessed at its full value, considerable masses of capital in other forms continue to escape taxation. This inequality should be removed. Justice

and good policy require that all property, having the protection of our laws, should be reached by assessment, and made to sustain the public authorities, upon principles of uniformity, except in special cases where it may be deemed beneficial to the State to grant an exemption from taxation by express legislation.

The amount derived from the canal revenues during the last fiscal year was \$3,722,163.11 ; being an increase of \$235,990.81 over the receipts of the previous year. After deducting the expenses of superintendence and repairs, and contributing \$200,000 for the support of government and \$1,650,000 for payment of interest and reduction of principal of the State debt, there remained a surplus of \$964,432.91 applicable to the completion of the Erie Canal Enlargement, and the Genesee Valley and Black River canals.

It should be remembered in this connection, that the increase of tonnage was in a larger proportion than the increase of revenue, the rates of toll on flour and wheat having been reduced 25 per cent. at the commencement of the last season of navigation.

Some progress has been made in the execution of the act passed July 10, 1851, "for the completion of the Erie Canal Enlargement and the Genesee Valley and Black River canals." In pursuance of its provisions, the Comptroller has issued six per cent. revenue certificates to the amount of \$1,500,000, for which a small premium was realized. A portion of the proceeds has been expended in forwarding that part of the work which had previously been put under contract, as exhibited in the last annual report of the State Engineer and Surveyor. The Canal Board having first given the public notice required by law, have received proposals and awarded contracts for executing the remainder of the work at prices considerably below the Engineer's estimates, upon which the recent law was predicated ; and the early completion of the three canals provided for by the Constitution, may now be regarded as a point definitely settled.

It is a subject of sincere congratulation that the measure adopted at the last session, to expedite the prosecution of the unfinished works, has received the sanction of public opinion, expressed in the choice of official agents whose views in favor of

the policy, and whose determination to co-operate in the vigorous execution of the law, were openly declared. While enlightened men of all parties have long seen and felt the importance of speedily perfecting our internal communications, on which so many millions have been expended, it cannot be deemed surprising that honest differences of opinion should have existed as to the precise mode and manner of attaining the object. The spirited discussions of the last year appear to have produced a settled conviction in the public mind, that the plan adopted is the most feasible and judicious that could be devised, within the limitations established by the financial provisions of the Constitution. Happily for the public welfare, our internal improvements have been rescued from the strife of parties, and must now cease to be a subject of political controversy. I consider it a proud day for the Commonwealth, when its leading statesmen of both political parties, emerging from unfavorable antecedents, are found concurring in support of a wise and liberal policy, and vieing with each other in a spirit of generous emulation and patriotic zeal for the advancement of a work which had become so essential to the public prosperity.

Nothing remains but to proceed with united councils in carrying out the system which is now regarded on all hands as fixed and established. In our future deliberations on the subject, former prejudices are to be discarded and past divisions forgotten. Let us come together in a spirit of mutual confidence, and unite our efforts to guard and protect the public interests, in disposing of the various questions that must arise from time to time in the progress of this great undertaking. In this, as in the management of all our public concerns, especially those of a practical business character, party spirit should be banished utterly, as the worst enemy of the people.

The completion of the canals is predicated upon the surplus tolls set apart for that purpose by the Constitution. The revenue certificates authorized by the existing law operate, in effect, as a transfer of these surplus tolls, in anticipation of their receipt, without any obligation or guarantee on the part of the State for the redemption of the certificates from any other fund.

It was evident from the first that the success of the plan must depend upon the degree of confidence entertained by the public in the future sufficiency of the canal revenues.

The steady increase of the western trade, as exhibited by the returns from year to year, ought to dissipate all apprehensions concerning the future productiveness of the source from which the certificates are to be redeemed. It has been shown that the annual contributions to the Sinking Fund (being \$1,650,000 until 1855 and afterwards \$2,050,000 per annum) will discharge the entire State debt in about seventeen years. When that result shall have been reached, inasmuch as no new debt can be charged upon the surplus canal revenues, they will be released and become exclusively applicable, by express constitutional requirement, to pay the certificates issued for completing the canals, unless the surplus shall have proved sufficient to extinguish them at an earlier day. If past results furnish a safe indication of the future business of the canal, it can hardly be doubted that the annual surplus will discharge the certificates in a shorter period than is required for the payment of the present debt; but if this anticipation should be disappointed, they will be rapidly extinguished after the existing stock shall have been paid.

The extent of the annual surplus must depend upon the prudent regulation of the canal tolls. That important responsibility has been devolved upon the Canal Board, subject to the control of the Legislature. It is made their duty by the 11th section of the act of the last session to adjust the rates "in such manner as in their judgment will produce the greatest amount of trade and revenue." The whole community are concerned in the wise and faithful performance of this obligation. It is of vital importance to the rights of public creditors and the soundness of a large portion of our currency. While good faith and so many pervading interests concur in demanding stability, there can be no good cause for apprehending that the representatives of the people will venture upon rash or doubtful experiments. Reductions of toll on certain articles have resulted in an increase of trade and revenue; and the same policy may doubtless be extended

with advantage to some additional branches of tonnage, such as cotton, tobacco, &c., from the States in the southwest. But constant care and an enlightened discrimination will be required to avoid all reductions which are calculated to affect the revenue unfavorably, until the obligations resting upon the canal incomes shall have been satisfied. It should be constantly borne in mind that inasmuch as the revenues have been pledged for the specific payment of the debt and the redemption of the certificates, we no longer possess the moral or constitutional right to make changes which shall impair their sufficiency for these purposes.

The funds devoted to school purposes are believed to be in a safe and healthy condition. On the 30th of September, the capital of these several funds was as follows:—

Common School Fund	\$2,325,449 72
United States Deposit Fund.....	4,014,520 71
Literature Fund	272,880 12
Making an aggregate of \$6,612,850.55 invested in productive securities for the advancement of education.	

The annual report of the Superintendent will present a complete view of the operations of our common school system.

The number of children taught during the year was 726,291: the whole amount expended for teachers' wages, including books for school libraries, was \$1,432,696. Under the present law the State furnishes \$1,100,000 of the amount required annually for the support of the district schools, viz: \$300,000 from the income of the School Fund and \$800,000 required to be raised yearly by State tax. It is estimated that the sum thus furnished from the treasury will be sufficient, in most cases, to make the schools free for six months in each year; leaving it for each district to provide means by rate bills for such additional period as the school may be taught.

The act passed by the last Legislature was adopted as a compromise of conflicting opinions, and appears to have been received with general favor by the community. It has put an end to the controversies produced by the unequal operation of the law of 1849, which had for some time agitated the public mind and kept

the districts in a state of fermentation. It is gratifying to observe the return of that harmony which is essential to the successful working of a system of popular education. In considering any further changes that may be proposed, we should endeavor to avoid any experiment calculated to reproduce the divisions that have been so happily, but with so much difficulty, healed.

In pursuance of a resolution of the last Assembly, I appointed Samuel S. Randall a commissioner to embody in a single act a common school code for the State. His report will be placed before you at an early day, and will doubtless receive the respectful consideration due to recommendations coming from one whose long experience and enlightened zeal in the cause of education are widely and justly appreciated.

The ordinary appropriations in support of Colleges were omitted by the two last Legislatures. The present condition of the United States Deposit Fund is such as to justify a moderate grant in aid of the higher institutions of learning, and I would renew the recommendations in their favor, contained in my last annual message. Several new institutions, including the Genesee College and the Rochester University, which have not yet enjoyed the public bounty, present strong claims to encouragement, and it would seem but just and reasonable that they should be admitted to an equal participation in the patronage of the State. The University of Albany has been organized under favorable auspices, and if the design of its patrons and professors shall be realized, it will ultimately be made equal to the best universities of Europe.

Much interest has been manifested for some years past in favor of creating an institution for the advancement of agricultural science and of knowledge in the mechanic arts. The views in favor of this measure expressed in my last annual communication, remain unchanged. My impressions are still favorable to the plan of combining in one college two distinct departments for instruction in agricultural and mechanical science; but many, whose opinions are entitled to weight, contend that a separate establishment for each branch would be most advantageous to

both. Before adopting any final action on the subject, the merits of the several systems of organization that have been proposed, should be maturely considered. I would respectfully recommend that a sufficient portion of the proceeds of the next sale of lands for taxes be appropriated to the erection of an institution which shall stand as a lasting memorial of our munificence, and contribute to the diffusion of the useful sciences and the elevation of the producing classes, during all future time.

Our charitable institutions continue to fulfil the beneficent purposes for which they were designed. The particular condition of these establishments will be presented in the annual reports of their officers. We may contemplate with intense satisfaction the blessings that have been conferred upon the children of adversity by the humane spirit of our past legislation. The State has given its powerful aid to every plan of practical philanthropy calculated to ameliorate the condition of the unfortunate. So far as human skill can supply the faculties of which they have been deprived by their Creator, the blind have been made to see, the deaf to hear, and the dumb to speak. Liberal provision has been made for the infirm and the destitute; the paternal guardianship of the Legislature has been extended to the fatherless, the insane, and even to the idiotic. I cannot too strongly commend the agencies by which these generous aims are accomplished to your fostering care and attention.

It appears from the official report that the number of inmates in the State Lunatic Asylum at Utica, on the 30th of November last, was 435; the number in the Lunatic Asylum on Blackwell's Island on the 20th of December, was 523.

The total number of insane persons in this State in 1850, as shown by the census of that year, was 2,506, of whom 1,106 were in asylums, leaving 1,400 to be supported in private families or poor houses. It is evident, therefore, that some further provision ought to be made for the relief of this unhappy class of our fellow beings. The number of pupils in the Institution for the Deaf and Dumb at the close of the year, was 244, of whom the State supports 160.

The New-York Institution for the Blind contained one hundred and thirty-nine inmates, of whom eighty-six are State beneficiaries. In pursuance of the act passed by the last Legislature, the trustees appointed for the purpose have established an Asylum for Idiots. They have fortunately secured the services of Dr. H. B. Wilber as Superintendant, whose efforts for the improvement of imbeciles have been attended with great success. A suitable building was procured in the vicinity of this city, and the school has been opened under encouraging circumstances. The report of the Trustees will present their proceedings more fully, and impart some valuable information in regard to the merits and prospects of this noble undertaking.

The Houses of Refuge for the reformation of juvenile delinquents have been administered with a degree of fidelity and success which reflect high credit upon the managers of those institutions. At the date of the last return the number of inmates was as follows :—

New-York House of Refuge,.....	393
Western do do	128

Some further legislation is recommended in regard to youthful convicts between the ages of sixteen and twenty. As the power of the courts to send delinquents to the Houses of Refuge is confined to persons under the age of sixteen, many young offenders who have passed that age are sentenced to hard labor in the State Prison for a term of years. Some of them are the victims of early abandonment, ignorance, and vicious associations; and if placed in a proper school for reformation, might be restored to virtue and prepared for a life of honest industry. It is worthy of consideration whether a separate department for this class of offenders should not be added to our present Houses of Refuge, or erected as a distinct establishment.

The important institutions in the city of New York, under the supervision of the Governors of the Alms House, are in excellent order and condition. The expenses have been largely reduced, the discipline improved, and every branch of their management gives evidence of skill, efficiency and fidelity.

After the adjournment of the last Legislature, regarding it as a duty to obtain the best information on subjects pertaining to my official action, I visited each of the State prisons and made a personal examination of their condition. The result was, in most respects, highly satisfactory. Great improvements have been made in the system of prison management and discipline. Experience has shown that a humane administration is more favorable to subordination than stern, despotie severity. Every practicable arrangement seems to have been made for the health, comfort and moral improvement of the convicts. Much praise is due to the officers, chaplains and physicians for their efforts to amend the condition and reform the minds of the wretched beings who have been banished from society to expiate their offences against its laws. Many have been redeemed from the deepest degradation by the influence of kindly teaching and example. The endeavors of the Inspectors to improve the financial management of the prisons, have been attended with considerable success. No branch of the public service requires more constant vigilance to ensure integrity and economy in the expenditures. A striking improvement is perceptible in the affairs of the Sing Sing Prison. For the first time in many years, its officers deem it unnecessary to call on the Legislature for pecuniary aid.

The finances of the Auburn Prison are in a less prosperous condition, and a considerable appropriation will be required for its support. This necessity has been produced partly by a large expenditure in erecting new buildings, which had become indispensable.

From a careful examination of the subject, I am convinced that the unfavorable results at Clinton Prison may be attributed in part to the incomplete execution of the original plan, which included the necessary work for making iron and manufacturing it in some of its ruder forms. That part of the design has been neglected. No forges or furnaces have been erected, and the employment of prisoners has consisted in excavating and separating the ore ; an operation which affords but little profit in the present condition of the iron market. The difficulty has been increased by the failure of ore on the land held by the State, making it necessary to pay a heavy rent for the privilege of working on an

adjacent tract. A result, much more favorable, may be produced by erecting furnaces for smelting and manufacturing the ore, on a scale sufficient for the employment of two or three times the present number of convicts. The additional expense of maintaining a larger number would be comparatively small. The labor of the convicts would be much more remunerative in the manufacture than the excavation of the ore. Other than financial considerations may be urged in favor of this policy.

Complaints continue to be made of the employment of too large a share of the convict labor in mechanical occupations, which conflict with the interests of honest citizens engaged in similar pursuits.

This evil, unavoidable to a certain extent, should be diminished as far as practicable. A leading motive in the establishment of the Clinton Prison was to withdraw a large class of prisoners from mechanical employments. But that purpose has been only partially fulfilled. Aside from other inducements, I am of opinion that the management of all the prisons would be improved by transferring some of the convicts from Auburn and Sing Sing to Clinton. At Auburn the number of prisoners sometimes exceeds the number of cells. The increase of criminals consequent upon the growth of population and other causes, will soon produce the same result at Sing Sing. The evils produced by overcrowding the prisons beyond their regular capacity are too serious to be tolerated. It cannot be doubted that the future necessities of the State will require a third prison. After making so large an expenditure upon the establishment at Clinton, its abandonment cannot be seriously entertained, and I would recommend that proper measures be taken for erecting such works as are necessary to carry the original design into full effect.

The number of convicts in the several State Prisons on the first of December last, was as follows:—

Sing Sing,	830	.
Auburn,	771	
Clinton,	113	
	<hr/>	
Total,	1714	

The number pardoned from these prisons during the last year, was 104. The annual list of reprieves, commutations and pardons, will be transmitted in a special communication. In the exercise of the pardoning power, one of the most embarrassing and delicate prerogatives that can be confided to human discretion, I have endeavored to act upon correct views of justice, humanity and public policy. Error in the conviction, undue severity of punishment, loss of health, produced or aggravated by long confinement, and service rendered to the State by the discovery of accomplices, have been regarded as the only legitimate grounds for the indulgence of clemency. In the discharge of this difficult duty, I have been impressed with the importance of a careful revision of our criminal laws for the purpose of making the punishment of certain crimes more proportionate to the grade of offence. Some of the provisions of our statutes are productive of inequalities which violate the sense of justice, and this evil is aggravated by a want of uniformity in the action of the local courts.

The amount fixed by the present law to distinguish grand from petit larceny, should be increased, and in certain cases the *minimum* term of imprisonment in the State Prison, which is now established at two years, ought to be reduced to one year.

An extraordinary number of capital offences, and a considerable increase in other crimes, have made the last a memorable year in the judicial annals of the State. This melancholy fact must be attributed in a large degree to the prevalence of intemperance in our cities and larger towns—a growing evil which has become the most prolific source of wretchedness, pauperism, and crime.

During the year, seventeen persons were found guilty of murder and three of arson in the first degree; and several more are in prison awaiting trial. Of the number thus convicted, six have been executed; the sentences of five have been commuted to imprisonment for life, and nine await the time fixed or to be fixed for their execution. The duty of the Executive in relation to crimes punishable with death is highly responsible and painful. In most cases strong appeals are made by the friends and relatives of the convict for an exercise of the pardoning power; and if this

effort proves unsuccessful, the courts are resorted to for relief, frequently upon points having little connection with the guilt or innocence of the accused, but involving merely some question of form or regularity in the proceedings. In prosecutions where human life is at stake, the greatest care should be observed, to see not only that the conviction is intrinsically just, but in accordance with established principles of law.

My reflections upon the subject have produced a belief that the ends of justice would be promoted by submitting every capital conviction to a review by the judges of the Supreme Court, before fixing a day for the execution of the sentence. It should be made the duty of the presiding judge of the Oyer and Terminer, in which the trial is held, to report the evidence and all the proceedings to the Supreme Court of the district, and that tribunal should be required, at its next general term, to examine the case and decide upon the legality of the conviction. If they confirm the sentence, they should fix a day for its execution and report their decision to the Executive. Such a review, as is now suggested, would secure to every convict, however friendless, the substantial benefits of an appeal in which his rights would receive deliberate and impartial consideration; it would relieve the pardoning power from an oppressive portion of its responsibility; and I cannot doubt that in many cases which give rise to differences of opinion in the community, a judicial proceeding of the character proposed would strengthen public confidence in the justice of the sentence, and induce more general acquiescence in the propriety of its execution.

It affords me much satisfaction to refer to the good management and excellent condition of the Albany Penitentiary, in which the convicts for minor offences in this and several adjacent counties are imprisoned. A personal examination of the establishment enables me to speak of its administration, and especially of the improvement in discipline and economy, in terms of sincere approbation.

It appears from the information furnished by the Commissioners of Emigration, that nearly 300,000 emigrants were landed at

the port of New-York during the last year. The most gratifying success has attended the efforts of the board to provide for the wants and better the condition of the destitute strangers who are coming amongst us in such extraordinary numbers. More than 20,000 of the sick and helpless were received during the year into the institutions under the charge of the Commissioners: employment for nearly an equal number was obtained through their friendly agency: many thousands were forwarded to the interior at the expense of the emigrant fund: and effectual measures were employed to protect the whole body of emigrants from those nefarious frauds which had been practised for years with comparative impunity. By the establishment of the present system, and its faithful administration, an important service has been rendered to the public interest and to the cause of humanity. The suggestions of the Commissioners in favor of some further legislation to promote the objects of their labors, are commended to your favorable attention.

For the present condition of our militia establishment I would refer you to the annual report of the Adjutant General, the Inspector General, and the Commissary General. Satisfactory progress has been made in carrying out the act of the last Legislature, and its provisions have proved highly beneficial. In pursuance of the new law, I appointed an Inspector General, whose active exertions have been of much utility in promoting an efficient organization and infusing a healthful military spirit. Many brigade and regimental districts, which had failed to comply with the law of 1847, have been successfully organized, and numerous volunteer companies have been formed, which promise to reflect credit upon the service. The importance of maintaining a well trained militia force ought not to be underestimated, and it is gratifying to perceive that a growing interest in the subject is manifested in all sections of the State.

The operations of the banks and the state of the currency will be fully exhibited in the annual report of the Superintendent of the Banking Department. The circulating medium of the State appears to be in a sound condition. Two recent failures of banks of circulation serve to demonstrate the advantages of the general banking law, instead of impairing our confidence in its safety

The securities deposited in the Bank Department, under the present restrictions, must constitute the best reliance for the protection of the bill holder. In all our legislation, the free banking system is to be regarded as permanently established. In the course of twelve years experience, many improvements have been made in its practical operation, and some further modifications will undoubtedly be found conducive to the public security.

The frequent occurrence of railroad accidents renders it but too apparent that proper care for their prevention is not now exercised. A large proportion of these calamities might have been avoided by due care in the construction, management and service of the roads and their moving equipment. The obligation of the State Government to extend its protection to the lives of railroad passengers is imperative, and rests on high moral grounds. I would, therefore, invoke the Legislature to enact such laws as may, on mature consideration seem most proper and efficient for preventing the recurrence of these lamentable disasters.

The Legislature, at its late session, provided by law for the erection of a building for the better preservation of the State Library. That building is now under contract, and will be completed with all the dispatch which may be deemed consistent with the permanency and security of the edifice. Warned by the late destruction of the Congressional Library of the necessity of adopting every precaution against a similar calamity in our own case, I deem it proper to recommend to your special consideration the suggestions to be submitted in the report of the Trustees, in relation to the internal arrangement of the building, with a view to the greater security of the valuable collection to be deposited in it.

The increase of corrupt practices in our elections has become a subject of general and just complaint. It is represented that in some localities, the suffrages of considerable numbers of voters have been openly purchased with money. We owe it to ourselves and to posterity, and to the free institutions which we have inherited, to crush this hateful evil in its infancy, before it attains sufficient growth to endanger our political system. The honest and independent exercise of the right of suffrage, is a vital prin-

ciple in the theory of representative government. It is the only enduring foundation for a republic. Not only should the law punish every violation of this principle as a crime against the integrity of the State ; but any person concerned in giving or receiving any pecuniary consideration for a vote, should, upon challenge, be deprived of the privilege of voting. I submit the subject to your consideration, in the hope that additional remedies may be prescribed and enforced.

It is now several years since suits were commenced by the Attorney-General, under the direction of the Legislature, to test the validity of the title to certain manorial lands occupied by tenants holding perpetual leases. It is of great importance that these suits should be brought to a final decision as early as practicable. It is due to the rights of both parties. While the question is suspended in the courts, both landlord and tenant are in a state of uncertainty ; the improvement of the country is retarded ; voluntary arrangements for a change of the tenure are arrested ; and the public mind is kept in a state of agitation most unfavorable to the peace of society and the regular administration of justice. Measures should be adopted to compel an early and definitive adjudication in the court of last resort.

Complaints continue to be made of delays in the administration of justice in the city of New-York. Some of the courts are overwhelmed with an accumulation of cases, notwithstanding the arduous and efficient efforts of the judges. It is believed that an increase of business in the commercial emporium will ultimately require an additional number of justices. The pressure upon some of the courts may be attributed in part to the chancery duties imposed upon the common law tribunals. The law should be so amended as to relieve the judges from the labor of taking testimony in equity proceedings ; and I would recommend that authority be given to the courts to refer such cases, whenever, in their discretion, they shall deem the examination of witnesses before a referee compatible with the rights of parties.

The statute in relation to the proof of wills and the administration of estates, needs such amendments as will expedite the discharge of debts against the estate of the deceased, in cases where the administration is suspended by a contest in respect to the

probate of an alleged will; a litigation which often occupies many years before its final determination, and subjects creditors to serious embarrassment and injustice.

In my last annual communication, I deemed it my duty to recommend suitable legislation for encouraging the settlement of the unsold lands of the State; for a revision and condensation of our statutes; for defining the power of cities to contract debts; and for the punishment of embezzlement by public officers as a crime. Referring to the views then expressed, I would again invite your attention to these several topics.

Having now adverted to the more prominent questions of domestic policy which will engage your deliberations, it can hardly be deemed inappropriate briefly to consider the relations of the State to the Federal Union, in connection with those subjects of national legislation which most intimately affect our prosperity. Although your legislative powers are limited to the internal concerns of the State, and its welfare depends peculiarly upon the wise exercise of those powers, we cannot forget that some of our most cherished interests are involved in the action of the general government. The exclusive authority to levy duties upon imports and to regulate commerce has been delegated to Congress. Unfortunately for the country, these important functions have not been exercised with that enlightened regard for the welfare of our citizens which they have a right to demand from a government deriving its existence and support from the people. The protection of our industry in those branches of production which are least able to withstand foreign competition, and the improvement of navigation on our lakes and rivers, both objects of the most vital importance to the public prosperity, have failed to receive the friendly attention of the federal government for some years past.

Under the ruinous operation of the revenue system of 1846, some of our most valuable manufacturing interests have been entirely prostrated, while the excessive importation of fabrics which we ought to produce at home, has created an enormous balance of trade against the country. The neglect of Congress to protect the commerce of our inland waters has caused a de-

plorable waste of life and property. The sentiments of this State ought to be distinctly announced on subjects of such paramount importance to its welfare; and the public opinion, which undoubtedly exists in favor of a liberal national policy, should make itself felt and respected. After surrendering to the federal authority the whole revenue power of the country, we cannot calmly consent that it should longer remain hostile or indifferent to the attainment of objects which the national compact was intended to secure, and which are called for by the most urgent considerations of policy and patriotism. It is a source of sincere satisfaction that the Executive branch of the government, actuated by statesmanlike views and a patriotic desire to promote the general prosperity, has recommended to Congress the adoption of proper measures to remedy the evils so seriously felt and justly complained of.

It cannot be disguised that the legislation of Congress on measures of practical importance has been seriously impeded by the sectional collisions which have too long disturbed the repose of the country. The controverted questions arising from our late territorial acquisitions, having been settled, we may reasonably hope that a recurrence of similar difficulties will be avoided by steady perseverance in a wise, moderate and conservative policy. Let us also indulge the hope that with the removal of its most prominent cause, the spirit of sectional contention so pernicious to the national prosperity and so repugnant to the purposes of the federal compact, may speedily disappear from the political horizon. It is time that angry strife and unworthy jealousies between the northern and southern portions of the United States should be banished forever, and that our public councils be inspired once more by the sentiments of mutual confidence and attachment which animated the whole people in the struggle for independence and the formation of the Union. In the free exercise of the inherent and vital right of opinion and discussion, zeal should be tempered by toleration and forbearance, and a just regard for the constitutional rights of all sections of the country.

When we recur to the original design and true theory of our federal system, every candid mind must acknowledge that there is no sufficient cause for keeping alive feelings of aversion and ill

will between the members of a voluntary confederacy, whose firm and perpetual union forms the only sure foundation for the freedom and happiness of the American people, and for the hopes of liberty throughout the globe. On a calm survey of our political condition, we perceive that the federal authority was created for purposes of a general and national character; for the conservation of common rights and the protection of interests in which all the states, however diversified their internal condition, have a joint and equal concern. The Constitution having wisely left the states free to regulate their domestic affairs, the dissimilarity in their local institutions furnishes no just ground for mutual complaints and reproaches. These differences of social and municipal organization existed among the American colonies; they were produced by causes over which the founders of the Constitution had no control, and for which we, their descendants, cannot be deemed responsible. They were not sufficient to prevent WASHINGTON and his compeers from blending diverse interests by mutual concessions, and rearing the noblest edifice of free government which the world has seen.

Why then should they be permitted to embitter our councils, and weaken the political ties which constitute us one people? In the conduct of our national concerns, why should the progress of the country be retarded and its best interests be forgotten in vain disputes upon questions which each State must decide for itself, and over which we have no rightful control?

In my reflections upon this subject, I have not permitted myself to doubt that the spirit of disunion which no concessions can appease, and the fanaticism which sees evil continually and luxuriates in factious strife, will exhaust themselves in the madness of their manifestations, without seriously endangering the stability of our National institutions. I adhere to the conviction expressed in my last annual communication, that the great body of the people, as well in our own State as in every portion of our widely extended confederacy, continue to cherish an ardent attachment to the Union; that they desire to see the Constitution administered in a spirit of moderation and equal justice towards the rights of all sections; and that they will "indignantly frown

upon every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts."

The position and ultimate destiny of the African race on this continent is a subject eminently worthy to engage the attention of the humane and benevolent. The highest motives of patriotism and religion prompt us to co-operate in all rational measures intended to improve their unfortunate condition. But it is of the first importance in considering a question of this magnitude, surrounded by so many embarrassments that we should discard the passions and prejudices which are so ready to usurp the place of common sense; that the spirit of faction should yield to the higher sentiments of a pure and generous philanthropy; and that in this, as in the ordinary concerns of life, we seek for a plan having some practical connection with the object of our efforts. We are to enquire, not merely what may be desirable, but, in view of the realities around us, how much is attainable, and what course of action will produce the most beneficial results? The negro race was brought to this continent almost as early as the white, and continued to be imported for nearly two hundred years. It is one of the most revolting features in the world's history, that during this entire period the most of the civilized nations participated in the slave trade. All of the thirteen colonies tolerated slavery within their borders.

The people of this State have furnished conclusive proofs of their aversion to slavery, and of their abiding conviction that it is a moral and political evil, by abolishing it at home, and by their uniform opposition to its extension over free territory acquired by the arms and treasure of the nation.

In the Southern States of the Union where the slaves form so large a part of the population, we cannot expect that the institution will disappear in a day or a generation. It has become too deeply rooted and too closely interwoven with social and pecuniary interests to yield to sudden or violent measures of reform. The progress of amelioration must, in the nature of things, be gradual. It must be left to the voluntary action of the people more immediately concerned, experience having shown that we have more to hope from their own inherent sense of justice and

policy, than from any interference that may be proposed by mis-directed philanthropy, operating at a great distance from its object.

The anomalous position of the free colored population, undoubtedly forms one of the most serious obstacles to the gradual liberation of the slaves. We cannot close our eyes to the fact, that although the free people of color enjoy a certain degree of liberty, they are commonly treated, both in the free and slave States, as an inferior race, and deprived of the social and political rights without which freedom is but an empty name. Even in our own State they are excluded from the most essential privileges of citizenship. Debarred from all participation in public employments, rejected from most of the institutions of learning and religion, governed by laws which they have no share in framing, having been denied the right of suffrage by a vast popular majority, shut out from social intercourse, and condemned to a life of servility and drudgery, their condition amongst us is deplorable in the extreme. Any great improvement of their condition under circumstances so calculated to crush the spirit of manhood, seems morally impossible.

The blighting effect of the inferiority to which they are subjected, is seen in the fact, that while every other class has rapidly increased, the colored population of this State has dwindled from 50,027 in 1840 to 47,937 in 1850. A result so remarkable naturally excites apprehensions that the African, like the Indian race, cannot permanently co-exist on the same soil with the whites, and that a separation is necessary to prevent their ultimate extinction. However unjust the pervading prejudice which affects the public sentiment toward the black race may appear, its existence and its unfavorable effect upon their welfare cannot be disputed. In several States, this antipathy is displayed in laws prohibiting negroes from coming within their borders. The people of Indiana adopted a restriction of that character last year by an extraordinary majority. It is evident that every scheme for the elevation of the African to a position of equality and full citizenship in our country, must prove delusive until pride and the sense of superiority shall have been ex-

tirpated from the human heart. The instincts of nature, too powerful to be counteracted by the refinements of abstract reasoning, proclaim that the two races must sooner or later be separated.

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The American Colonization Society presents the only organized agency which has contributed to accelerate this separation or produce practical results beneficial to the African race. This association was formed many years ago by benevolent citizens in different sections of the country and has for its objects to rescue the free colored people of the United States from their social and political disadvantages, by placing them where they may enjoy the blessings of free government; to spread civilization and religion throughout the continent of Africa; to arrest and destroy slave trade, and to afford such owners as are willing to liberate their slaves an asylum for their reception. For the accomplishment of these noble designs, a colony, composed of free colored persons emigrating voluntarily from this country, has been established in Liberia, on the western coast of Africa. For years the enterprise encountered many obstacles, but these have been overcome by persevering efforts.

A careful examination has convinced me of the feasibility and immense advantages of the undertaking, and of its pre-eminent claims upon our support. Under the auspices of the society, nearly 10,000 free colored persons have emigrated, many of them being slaves liberated on that condition. They have established a free republican government, and acquired by peaceful means a large extent of country, embracing 200,000 people, and abounding in the elements of agriculture and commercial prosperity. They have shown themselves competent to make their own laws and administer their affairs with regularity and justice. Industry prospers, schools and churches have been established, and the people of this infant colony, carrying with them the knowledge acquired in the scene of their former humiliation, are spreading christianity and civilization over a portion of the earth which has been sunk for ages in heathen barbarism.

The value of this consideration will be felt when it is remembered that the population of Africa is computed at 150,000,000,

of whom a majority are in the most abject slavery. By the efforts of the new republic the slave trade has been suppressed along several hundred miles of coast, and the extension of the settlements will extirpate that detestable traffic. Thus we perceive that this great work of humanity may claim the double merit of redeeming another continent from degradation, while it improves the condition of our own. It needs no prophetic vision to foresee that one of the great designs of a mysterious Providence is to be fulfilled by restoring the oppressed sons of Africa to their native soil after centuries of bondage.

A cause so beneficent, identified with the lasting welfare of two of the great races of mankind, rises high above the party contests of the day, and appeals with resistless force to the justice and humanity of the whole American people. I hope to see it sustained by the liberal action of the national government, seconded by contributions from the several States. The employment of government steamers to transport colored emigrants from this country, would soon obviate the necessity for a naval squadron on the coast of Africa, which is now maintained there by the United States at great expense and waste of life, for the suppression of the slave traffic.

It may be objected to the claims of the Colonization Society that its operations are gradual, and that the consummation of its purposes will require a long series of years. But we should reflect that it is impossible to remove an evil of such magnitude by any human means within the period allotted to a single generation. It is not to be denied that the efforts of the association have secured the liberation of several thousand slaves, a result more practical and beneficial than has been produced by any other organization. Until some portion of this continent or of the West India islands shall be set apart for the exclusive habitation of the colored race, African colonization must be regarded as the only effective auxiliary of voluntary emancipation.

A growing desire to emigrate is manifested by the black population, and many masters have declared their readiness to free their slaves when means can be found for their removal. Some of the States have made considerable appropriations to promote

the object, and an increasing interest has been evinced by others. New-York ought not be behind her neighbors in the performance of a duty so important to her own welfare, and so beneficial to a large portion of the human family, now held in a melancholy debasement. It is a work in which christians and patriots of all parties and in all sections can unite their efforts, without involving the country in political or geographical dissensions. I submit the whole subject to your enlightened consideration, in the firm belief that upon a full examination of its merits you will deem it in accordance with justice and policy, and an enlightened public sentiment, to manifest your approval of the cause by a liberal appropriation for the furtherance of its benevolent design.

Having fully determined to retire from office at the close of my term, I trust I may be permitted to avail myself of the present opportunity to renew to my fellow citizens an expression of my profound gratitude for the honors conferred upon me by their confidence, assuring them of my continual aspirations for the advancement of my native State in virtue, prosperity and happiness.

WASHINGTON HUNT.

Albany, January 6, 1852.

State of New-York.

No. 3.

IN SENATE, JAN. 12, 1852.

STANDING COMMITTEES OF THE SENATE.

On Claims.

Mr. Jones,
Mr. Ward,

Mr. Williams.

On Finance.

Mr. McMurray,
Mr. Morgan,

Mr. Conger.

On the Judiciary.

Mr. Vanderbilt,
Mr. Babcock,

Mr. Taber.

On Canals.

Mr. Pierce,
Mr. Upham,

Mr. Davenport.

On Railroads.

Mr. Bartlett,
Mr. Smith,

Mr. Munroe.

On Charitable and Religious Societies.

Mr. Beekman,
Mr. Taber,

Mr. Bristol.

On Literature.

Mr. Conger,
Mr. Beekman,

Mr. Van Schoonhoven.

On the Militia.

Mr. Kirby,
Mr. McElwain,

Mr. McMurray.

On Roads and Bridges.

Mr. Bennett,
Mr. Clark,

Mr. Vanderbilt.

On Grievances.

Mr. Cornell,
Mr. Huntington,

Mr. Upham.

On Banks and Insurance Companies.

Mr. Cooley,
Mr. Beach,

Mr. Kirby.

On Privileges and Elections.

Mr. Wright,
Mr. Otis,

Mr. Snow.

On Internal Affairs of Towns and Counties.

Mr. Ward,
Mr. Bennett,

Mr. Bristol.

On State Prisons.

Mr. Rogers,
Mr. Conger,

Mr. Beach.

On Poor Laws.

Mr. Van Schoonhoven,
Mr. Platt,

Mr. Bartlett.

On Engrossed Bills.

Mr. Clark,
Mr. Newcomb,

Mr. Cornell.

On Indian Affairs.

Mr. Bristol,
Mr. Smith,

Mr. Platt.

On Commerce and Navigation.

Mr. Platt,
Mr. Babcock,

Mr. Cooley.

On Agriculture.

Mr. McElwain,
Mr. Otis,

Mr. Huntington

On Manufactures.

Mr. Otis,
Mr. Rogers,

Mr. Clark.

On Retrenchment.

Mr. Smith,
Mr. Davenport,

Mr. Newcomb.

On Public Buildings.

Mr. Upham,
Mr. Pierce,

Mr. Bennett.

On Division of Towns and Counties.

Mr. Huntington,
Mr. Jones,

Mr. Snow.

On Cities and Villages.

Mr. Morgan,
Mr. Williams,

Mr. Vanderbilt.

On Public Expenditures.

Mr. Davenport,
Mr. Rogers,

Mr. Morgan.

On Expiring Laws.

Mr. Williams,
Mr. Wright,

Mr. McElwain.

On Medical Societies and Colleges.

Mr. Snow,
Mr. Bartlett,

Mr. Wright.

On Public Printing.

Mr. Babcock,
Mr. Pierce,

Mr. Cooley.

On the Manufacture of Salt.

Mr. Munroe,
Mr. Cornell,

Mr. Newcomb.

Joint Library Committee.

Mr. Taber,
Mr. Jones,

Mr. Beekman.

State of New-York.

No. 4.

IN SENATE, JAN. 6, 1852.

JOINT RULES OF THE SENATE AND ASSEMBLY.

1st. Each House shall transmit to the other all papers on which any bill or resolution shall be founded.

2nd. When a bill or resolution which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

3d. Messages from one House to the other, shall be communicated by the respective clerks of each House, unless the House transmitting the message shall especially direct otherwise.

4th. It shall be in the power of either House to amend any amendment made by the other to any bill or resolution.

5th. In every case of difference between the two Houses, upon any subject of legislation, either House may request a conference, and appoint a committee for that purpose, and the other shall also appoint a committee to confer. The committee shall meet at such hour and place as shall be *appointed* by the *chairman* of the committee on the part of the House requesting such conference. The conferees shall state to each other verbally or in writing, as either shall choose, the reasons of their respective Houses, and confer freely thereon. The committee shall report *in writing*, and shall be authorized to report such modifications

or amendments as they think advisable. The papers shall be left with the conferees of the House assenting to such conference, and they shall present the report of the committee to their House. When such House shall have acted thereon, they shall transmit the same, and the papers relating thereto, to the other, with a message certifying its action thereon.

6th. It shall be in order for either House to recede from any subject matter of difference, subsisting between the two Houses at any time previous to conference, whether the papers on which such difference arose, are before the House receding, formally or informally; and on such vote to recede, the same number shall be required to constitute a quorum to act thereon, and to assent to such receding, as was required on the original question out of which the difference arose.

7th. After each House shall have adhered to their disagreement, the bill which is the subject of difference shall be deemed lost, and shall not be again revived during the same session in either House.

8th. All joint committees of the two Houses, and all committees of conference, shall consist of three Senators and five members of Assembly, unless otherwise specially ordered by concurrent resolution.

9th. Whenever ten or more bills shall be in readiness for final reading in either House, such House shall assign a day for the final reading of such bills, which day shall be within one week thereafter. At the time appointed, such House shall proceed to the final reading of bills, and continue the same from day to day until all bills then in readiness for final reading shall have been read, except as herein provided. All bills shall have their last reading in each House, in the order in which the same shall have been ordered to a final reading in such House; but either House may assign a day certain, for the final reading of a particular bill; or it may, by a majority of all the members present, order any bill when reached to lie on the table. In all cases where a bill shall be so ordered to lie on the table, it shall retain its place

in the order of the final reading of bills, but shall not be called up for consideration unless by the vote of a majority of the members present.

10th. No bill which shall have passed one House, shall have its final reading in the other, in less than two days thereafter, without the consent of two thirds of the members thereof present.

11th. The same bill shall not, specially or by name, create, renew or continue more than one incorporation, nor contain any provisions in relation to the altering of more than one incorporation by name; but this rule shall not be construed to apply to corporations to be formed under general laws according to the eighth article of the Constitution, nor to bills for consolidating two corporations into one.

12th. Whenever there shall be an election of officers by the two Houses, the result shall be certified by the President of the Senate and Speaker of the Assembly, and shall be reported by the presiding officer of each House, to their respective Houses, and be entered on the journals of each, and shall be communicated to the Governor by the clerks of the two Houses.

13th. There shall be printed, of course, and without order, 380 copies of all original bills reported by committees of either House ; and 800 copies of all messages from the Governor, (except messages certifying his approval of bills,) all reports of standing or select committees, and all reports or communications made in pursuance of law ; which number shall be denominated the usual number.

14th. The bills and documents when printed shall be distributed as follows:

Of Bills, there shall be sent	
To the Senate,.....	84 copies.
To the Assembly,.....	218 copies.
To the State Officers,.....	28 copies.
Retained to bind,.....	50 copies.
	<hr/> 380 copies.

Of Messages and Documents, there shall be sent

To the Senate,.....	90 copies.
To the Assembly,.....	189 copies.
To the State Officers,.....	28 copies.

Retained to bind:

For the Senate,.....	48 copies.
For the Assembly,.....	154 copies.
For Senate Library,.....	18 copies.
For Assembly Library,.....	50 copies.
For the Counties, Public Officers, &c.,.....	123 copies.
For distribution by the Governor to other states,....	32 copies.
Retained to bind for literary exchanges to be made by the Regents of the University,.....	58 copies.
Bound for State Library,.....	10 copies.

800 copies.

There shall also be printed and bound for the State Library, 10 copies of the Session Laws and of the Journal of each House, and 50 copies of the same for the Regents of the University for the purpose of literary exchanges.

When any extra number of any Messages or documents are ordered, there shall be printed, in addition to the number so ordered, 60 copies to be sent to the Executive Chamber, for the use of the Governor, and also 10 copies for each of the State Officers, and 100 copies for the use of the Regents of the University, from which they shall be entitled to retain 1 copy for each of said Regents and their officers, and the balance shall be used for literary exchanges.

Whenever any order is made to print extra copies of Messages or Documents, the term "usual number" shall be construed to mean three hundred.

In case the printing of an extra number is ordered, one-third thereof shall be sent to the Senate, and the remainder to the Assembly, unless otherwise directed by law or concurrent resolution.

Whenever either House shall order more than the usual number of any Message or Document, not originating therein, the fact shall be immediately communicated by message to the other.

State of New-York.

No. 5.

IN SENATE, JAN. 14, 1852.

REPORT

Of the Comptroller in answer to a Resolution of the Senate of January 9, 1852, in relation to expenses of printing Documentary History.

TO THE SENATE.

COMPTROLLER'S OFFICE, }
Albany, January 14, 1852. }

The Comptroller, in obedience to the following resolution of the Senate, viz :

" In Senate, January 9, 1852.

" On motion of Mr. Pierce, the following preamble and resolution was adopted.

" Whereas, At or near the close of the last regular session of the Legislature, the following resolution was adopted by the Assembly, viz :

" Resolved, That twenty copies of the Documentary History of the State of New-York, (including the fourth volume,) be printed for the use of each member, officer and reporter of this Legislature,

“ Therefore, Resolved, That the Comptroller be requested to report to this body, the expense of executing the within resolution, as well the printing, binding, &c., as of transmitting the said Documentary History, to the said members, officers, &c., throughout the State.

“ By order of the Senate.

***“ IRA P. BARNES,
“ Clerk.”***

Respectfully submits the annexed statement.

It will be observed, that the expense of printing and engraving the copies of the fourth volume, and also the expense of its transmission, including cost of boxes, is estimated.

The actual expenditure for these purposes cannot be given, as the work is yet unfinished ; but the printer who has executed the printing of the previous volumes, is of the opinion that it will not vary much from this estimate.

All of which is respectfully submitted.

**J. C. WRIGHT,
Comptroller.**

STATEMENT

Showing the expense of printing and engraving, and of the transmission of twenty copies of the Documentary History of the State of New-York, including the fourth volume, for the use of each member, officer and reporter of the Legislature, pursuant to a resolution of the Assembly of 1851.

For printing 5,000 copies vol. 1,.....	\$5,188 60	
Engraving for do.,	3,100 00	
	<hr/>	\$8,288 60
Printing 5,000 copies vol. 2,.....	\$7,094 73	
Engraving for do.,	1,475 00	
	<hr/>	\$3,569 73
Printing 5,000 copies vol. 3,.....	\$7,417 02	
Engraving for do.,	2,912 50	
	<hr/>	\$10,329 52
Estimate for printing 5,000 copies vol. 4,	\$7,094 73	
“ engraving for do.,	4,138 75	
	<hr/>	\$11,233 48
Expense of transportation including cost of boxes, (that of the fourth volume being <i>estimated</i> ,)....		1,400 00
		<hr/>
		<u>\$39,821 33</u>

State of New-York.

No. 6.

IN SENATE, JAN. 14, 1852.

RESOLUTIONS

Of the Select and Common Councils of the city of Philadelphia, in relation to the erection of a Monument in that city.

CITY HALL, *Philadelphia, September, 1851.*

TO THE HONORABLE THE SENATE

AND HOUSE OF REPRESENTATIVES

of the Commonwealth of New-York:

At a meeting of the Select and Common Councils of the city of Philadelphia, held this day the following preamble and resolutions were adopted:

Whereas, The spot on which the Congress of the American Colonies declared their independence, should be dear to the whole nation to which that act gave birth. It is hallowed not only by the heroism of the men, who, in the name of a small and scattered people, renounced the rule of a powerful King, but by the first formal promulgation of the principles of Political Liberty, which are the inheritance of our own great Republic, and the guide and hope of the friends of man throughout the world.

Viewed with this reference, the Hall of the Old State House of the Colony of Pennsylvania, may take precedence in interest of every other edifice, ancient or modern. In it assembled the Apostles of Political Freedom. In it, calling God to witness the truth of their cause, they pledged their lives to that Revelation of Right, from the progress of which, within the brief period of

a human life, we are assured, that in due time it will embrace the convictions and secure the happiness of the whole family of mankind.

It is assumed, therefore, that the Thirteen States of 1776, feel a common and special pride in the alliance of their names with the Declaration of Independence,—with the wisdom which conceived it—the valor which resolved it—the fortitude which sustained it—the glory which still confirms it, and that they will unite in further consecrating the place of its adoption by memorials worthy of the act and of its authors.

Entertaining these views, be it, and it is hereby *Resolved*, by the Select and Common Councils of the city of Philadelphia,—

First,—That it is expedient to have erected in the Grove belonging to the Hall in which the National Independence was declared, “one or more” monuments, commemorative respectively, of the States and of the men, parties to that glorious event.

Secondly,—That in order to accomplish this patriotic design, the Presidents of the Select and Common Councils are hereby directed to furnish a copy of these proceedings to, and memorialize the Legislatures of the States of Massachusetts, New Hampshire, Rhode Island, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, suggesting to those Legislatures to appoint each, two delegates to a Convention to assemble in Independence Hall, on the 4th day of July, 1852, as the guests of the city of Philadelphia, there to deliberate upon a plan of carrying into effect this proposition in a manner becoming the means of their constituents, and the memories of the illustrious dead.

Thirdly,—That in the event of this proposition having a favorable response from the States addressed, the Select and Common Councils of the city of Philadelphia, in the name of the citizens, are pledged to hold the grounds of Independence Hall, free from all encroachments upon the monuments therein to be erected, and to guard the same equally with the Hall itself, as a sacred and national trust forever.

(Attest,) THOS BIRCH, *Clerk of Common Council.*
EDMUND WILCOX, *Clerk of Select Council.*

State of New-York.

No. 7.

IN SENATE, JAN. 7, 1852.

REPORT

**Of the Select Committee in relation to the adoption of
the Rules of the Senate.**

Mr. Cooley, from the select committee to which was referred the rules of the Senate, report that they have had the same under consideration, and report in favor of adopting the rules of the Senate as adopted January 8th, 1851, with the following amendments :

RULE 7. Strike out the word "*reading*," in the 4th line, and insert the words "*being read*."

RULE 22. Add at the end thereof, the words "*Upon an appeal from the Chair, the question shall be 'shall the decision of the Chair be reversed?'*" "

RULE 33, by striking out altogether.

For RULE 39, substitute the following:

When a bill shall be reported by any committee, (except the committee on engrossed bills,) and not otherwise disposed of the question shall be, "shall the report be agreed to?" And when the report, if favorable, shall be agreed to, or when a bill be twice read, and not otherwise disposed of, the question shall be, "shall such bill be engrossed and read a third time." Upon such question, the merits of the bill may be debated, and a mo-

tion to commit, or recommit, or lay on the table, or to postpone to a future day, shall be in order. If such question be decided in the negative, such bill shall be deemed lost; but if it be decided in the affirmative, such bill shall, at the pleasure of the Senate, be read a third time, and the final question shall be taken thereon immediately after such third reading, and without debate.

Strike out of RULE 43 the words to and including the word "*and,*" in the third line.

State of New-York.

No. 8.

IN SENATE, JAN. 12, 1852.

Communication from the Canal Board.

CANAL DEPARTMENT,

Albany, January 9th, 1852.

Hon. S. E. CHURCH,

President of the Senate :

Sir—By an order of the Canal Board, I am directed to transmit to you the enclosed copy of a resolution of the Board this day adopted.

Respectfully yours, &c.,

G. W. NEWELL, Auditor.

STATE OF NEW-YORK,

CANAL DEPARTMENT,

Albany, January 9th, 1852. }

At a meeting of the Canal Board, on the 7th inst., Mr. Mather, Canal Commissioner, offered the following resolution, which was this day adopted :

Resolved, That the Legislature be respectfully requested to appoint a committee to examine and inquire into the action of each and every member of the late Canal Board, and of the Board of Canal Commissioners, State Engineer and Surveyor, and Division Engineer, having charge of that portion of the canals where the

work was to be let, for the completion of the Erie Canal enlargement, the Genesee Valley, and Black River canals, and the enlargement of the locks on the Oswego canal, in the awarding of contracts, and all their acts connected with the same, or in the discharge of the duties of their offices respectively.

I certify the foregoing to be a correct extract from the minutes.

G. W. NEWELL,

Auditor.

No. 9.
MEMBERS AND OFFICERS OF THE SENATE,
OF THE STATE OF NEW-YORK, FOR 1852.
Hon. SANDFORD E. CHURCH, Lieutenant Governor, and President of the Senate, Albion, Orleans County,
boards at the Mansion House.

<i>District.</i>	<i>Names of Senators.</i>	<i>Post-Office Address.</i>	<i>County.</i>	<i>Boarding house in Albany</i>
1st,.....	James E. Cooley,	Stapleton,	Richmond,.....	Congress Hall.
2d,.....	John Vanderbilt,.....	Brooklyn,	Kings,	do
3d,.....	William McMurray,.....	New York,.....	New York,.....	do
4th,.....	Obadiah Newcomb,	do	do	140 State street.
5th,.....	James W. Beekman,.....	do	do	Congress Hall.
6th,.....	Edwin D. Morgan,.....	do	do	do
7th,.....	Abraham B. Conger,	Haverstraw,	Rockland,	Delavan House.
8th,.....	John H. Otis,	Clinton Corners,	Dutchess,	Mansion House.
9th,.....	Nathaniel Jones,.....	Newburgh	Orange,	American Hotel.
10th,.....	George T. Pierce.....	Poughkeepsie,.....	Ulster,	Franklin House.
11th,.....	Azor Taber,.....	Albany,.....	Albany,.....	109 State street.
12th,.....	William H. Van Schoonhoven,	Troy,	Rensselaer,	City Hotel.
13th,.....	Daniel S. Wright,.....	Whitehall,	Washington,	Delavan House.
14th,.....	Eli W. Rodgers,.....	Whallonsburgh,	Essex,	do

<i>District.</i>	<i>Names of Senators.</i>	<i>Post-Office Address.</i>	<i>County.</i>	<i>Boarding House in Albany.</i>
15th,	Henry B. Smith,	Chateaugay,	Franklin,	130 State street.
16th,	Simeon Snow,	Root,	Montgomery,	Mansion House.
17th,	Henry E. Bartlett,	Walton,	Delaware,	Congress Hall.
18th,	Harmon Bennett,	New Lisbon,	Otsego,	Franklin House.
19th,	Benjamin Huntington,	Rome,	Oneida,	Congress Hall.
20th,	James Platt,	Oswego city	Oswego,	do
21st,	Ashley Davenport, . . . . .	. . . . .	Lewis,	Dealvan House.
22d,	James Munroe,	Ludwige,	Onondaga,	do
23d,	Nathan Bristol,	Factoryville,	Tioga,	do
24th,	William Beach,	Auburn,	Cayuga,	do
25th,	Josiah B. Williams,	Ithaca,	Tompkins,	do
26th,	Francis R. E. Cornell,	Addison,	Steuben,	do
27th,	Micajah W. Kirby,	Henrietta,	Monroe,	do
28th,	Alonzo S. Upham,	Le Roy,	Genesee,	City Hotel.
29th,	Myron H. Clark,	Canandaigua,	Ontario,	Delavan House.
30th,	John A. McElwain,	Warsaw,	Wyoming,	do
31st,	George R. Babcock,	Buffalo,	Erie,	51 North Pearl st.
32d,	Elisha Ward,	Silver Creek,	Chautauque,	Franklin House.

OFFICERS OF THE SENATE.

<i>Name.</i>	<i>Office.</i>			
Ira P. Barnes,	Clerk,	Sherburne,	Chenango,	Mansion House.
Henry J. Sickels,	Deputy-Clerk,	Albion,	Orleans,	do
James R. Rose,	do	Albany,	Albany,	53 Howard street.
Charles R. Dayton,	do	East Hampton,	Suffolk,	15 Jay street.
Charles Lee,	Sergeant at Arms, ..	Penn Yan,	Yates,	Delavan House.
Abner N. Beardsley, ..	Door Keeper,	Brooklyn,	Kings,	American Hotel.
George Reed,	Ass't do	Redhook,	Dutchess,	684 Broadway.
Aruna S. Bryant,	Janitor,	Chateaugay,	Franklin,	130 State street.
George B. Sherrill,	Post-Master,	Sandy Hill,	Washington,	do

State of New-York.

No. 10.

IN SENATE, JAN. 21, 1852.

REPORT

Of the committee appointed to revise the joint rules of the Senate and Assembly.

Mr. Cooley, from the select committee appointed to revise the joint rules of the Senate and Assembly, submits the following

REPORT:

That they have had the same under consideration and report the joint rules of the last session without alteration, except the 13th and 14th rules, these have been modified so as to reduce the number of bills printed, and to devolve upon the Regents of the University the distribution of copies of the messages and documents to other States, and furnish to each Regent not otherwise provided for, a copy of the documents. The number allowed for literary exchanges is also increased without any increase of the aggregate number printed or detriment to the public interest. The great and alarming increase of the expenses of legislative printing, is in part owing to defects in the 14th rule. Heretofore it has been usual to order ten, twenty, or fifty times the "*usual number*" of a document to be printed, while very few members at the time of voting, would take the pains to ascertain, by computation, the aggregate thus voted. In this mode the number of documents printed has been increased beyond the actual knowledge of members voting for the resolution, and beyond

the demands of the public therefor. The evil, it is thought, will be corrected by requiring all orders for extra copies to specify *numerically*, the number required. No computation will then be necessary to enable members to vote understandingly upon all propositions to print extra numbers. But the chief source of extravagant orders for printing lies in the haste and want of examination with which they are adopted. The committee do not deem it necessary at this time to advert to past experience to justify this assertion. By adopting the rule as reported, all orders for printing more than 2,000 extra copies of a document will be made by concurrent resolution. This will afford opportunity for investigation and guard against hasty and ill-considered action, while it will prove no restraint upon the Legislature in meeting the demands of the public for a liberal distribution of all documents of general interest.

A. H. MOSS,
S. B. CUSHING,
GEO. R. BABCOCK,
A. B. CONGER,
SIMEON SNOW,
J. T. HATCH.

State of New-York.

No. 11.

IN SENATE, JAN. 20, 1852.

ANNUAL REPORT

Of "The Trustees of the Northern Dispensary of the city of New-York," for the year 1851.

To the Honorable, the Legislature of the State of New-York:

"The Trustees of the Northern Dispensary of the city of New-York" in compliance with the requirements of the act of the Legislature of the State of New-York, entitled "An act to enable the Dispensaries of the city of New-York, to extend their benefits," passed 21st April, 1841, do hereby respectfully

REPORT:

That during the year 1851 their dispensary has furnished medical attendance and medicine to 22,471 individuals, as recipients of their Institution, of whom 9,327 were attended at their dwellings, and 13,144 were attended at the dispensary.

6,547	of the individuals	were born in the United States,
14,647	"	" Ireland,
242	"	" England,
216	"	" Scotland,
289	"	" Germany,
530	"	" Other countries.

22,471 being the total number treated.

2,027 of the above mentioned individuals were also vaccinated.

The said trustees further report that they have constantly kept on hand a supply of genuine vaccine matter, which has been furnished gratuitously to all physicians and surgeons applying for the same.

All of which is respectfully submitted,

[L. s.]

JED. FRYE, *President.*

[Attested.]

CHARES R. WHITTEMORE, *Secretary.*

Northern Dispensary, New-York, January 1852.

State of New-York.

No. 12.

IN SENATE, JAN. 10, 1852.

REPORT

Of the committee on Claims on the petition of Thomas Countryman for relief.

Mr. Williams, from the committee on claims, to which was referred the petition and papers of Thomas Countryman, asking an appraisement of damages sustained by him in consequence of breaks in the Minden dam across the Mohawk river

REPORTS :

That the committee have had the petition and papers accompanying the same under consideration. The petitioner represents that he was the owner of an island in the Mohawk river, in the town of Minden, county of Montgomery, containing about six acres of land : That in the construction of the Erie canal, a dam was built across said river a few rods above said island ; that in the years 1844, 1846 and 1847, during high freshets in the river, the dam several times gave way, and in consequence of which his island was all swept away, except about half an acre, and that, what is left is of but little value. The statements of the petitioner appear to be sustained by affidavits accompanying the same.

It appears that said petition was first presented in Assembly, January 24th, 1850, and referred to the committee on claims ; but it

does not appear that any action was had thereon during that session. In 1851 (see Senate report No. 46,) the subject was considered, reported upon favorably, and a bill passed granting relief, (see Senate Journal, page 463,) said bill having been sent to the Assembly was reported upon favorably at the regular session, and during the extra session was passed, (see Assembly Journal, page 1335,) and again returned to the Senate, and there reported unfavorably, (see Senate Journal, page 844.)

Your committee are of opinion, after a careful examination of the facts and history of this case, that justice to the petitioner requires that a law be passed granting him relief. And in accordance with these views, the committee respectfully ask leave to introduce a bill.

State of New-York.

No. 13.

IN SENATE, JAN. 14, 1852.

REPORT

Of the Committee on Claims, on petition of David Rogers.

The committee on claims, to which was referred the petition of David Rogers,

REPORT:

That the petitioner entered into contract with the Canal Commissioners on the 15th day of November, 1849, for the construction of lock No. 16, on the Oswego canal, which contract was made in pursuance of "an act in relation to the Oswego canal." passed April 5th, 1849,

That the petitioner, under his contract, performed considerable work, and progressed with the same until some time in April, 1850, when his work was stopped by order of the Commissioner, in pursuance of "an act to repeal sections two and three of an act in relation to the Oswego canal," passed April 10, 1850; which last act repealed the act under which the work was authorized, and the contract made.

It appears that the petitioner, with others who had contracts under the same law on the same canal, and whose work was in like manner suspended, applied to the Legislature at its last session, for a law authorizing the Canal Board to investigate and

settle the claims for damages arising out of the breach of their contracts on the part of the State ; and bills were passed in both branches of the Legislature for their relief ; that such bills were signed by the Governor and became laws, except in the case of the petitioner, whose bill by some inadvertence was mislaid, and was not signed by the Governor.

The report in the cases will be found in Assembly document No. 31, of 1851. The bills are chapters 223, 247, 248, and 360, of the Laws of 1851. The vote on final passage, Senate Journal, page 674 ; Assembly Journal, page 1478.

Your committee can see no good reason why the relief asked should not be granted, and they ask leave to introduce a bill.

NATH'L JONES.

State of New-York.

No. 14.

IN SENATE, JAN. 26, 1852.

REPORT

Of the committee on the internal affairs of towns and counties, on the petition of Daniel Cornell & Ransom Clark.

The committee on internal affairs of towns and counties, to which was refered the petition and papers of Daniel Cornell and Ransom Clark, asking for relief on a claim against the town of Guilford in the county of Chenango,

REPORT:

That they have had the same under attentive and careful consideration, and the following facts are estalished, from the papers and testimony before the committee.

That the said Cornell and Clark were commissioners of highways in and for the town of Guilford, Chenango County; that in the year 1836, the Oxford and Butternut Turnpike Company took possession of a highway and bridge situate in said town without having the damages appraised and paid for, according to the provisions of the statute, which unlawful taking and occupying compelled the the people of that town to pay toll passing over said highway and bridge by which act the said town of Guilford felt themselves greatly aggrieved.

That the electors of the said town of Guilford, at their annual town meeting, in February 1836, passed a resolution *authorizing and directing* the commissioners of said town to prosecute said

turnpike company for the unlawful taking said highway and bridge. Said Cornell and Clark, in *pursuance of said resolution*, and by virtue of their office, employed an attorney, under whose advice an action was brought against said turnpike company, which suit was brought to trial at the Chenango circuit, September 1839, and a verdict rendered against said turnpike company, of \$250, for the unlawful taking said highway and bridge.

The said turnpike company appealed from the Circuit court to the Supreme court, in general term, and the said judgment was reversed, throwing the costs upon the said commissioners of highways, which costs were paid by the commissioners.

That while said suit was pending, the said commissioners presented to the board of auditors of said town, a bill for about \$189, for money paid out for counsel fees in said suit, and other expenses incurred by them in the same; and that said town board audited the same as presented; and the people of said town paid the same without objection, and that they were well satisfied with the acts of said commissioners in the premises is matter of fair inference from the evidence before the committee. The said commissioners applied to the town auditors to have the balance of their costs in the above named suits audited and allowed, which was refused.

That they then brought a suit against said town to recover the costs paid by them. Said suit was referred to referees, one of whom was the Hon. Charles Mason, now one of the Justices of the Supreme Court of this State, and who gave a written opinion on the case after hearing all the testimony in the case, and which opinion was the unanimous opinion of all the referees in the case, and a report made of \$657.22, in favor of the plaintiffs.

Your committee have herewith attached to this report the written opinion of the Hon. Charles Mason, as it contains all the facts material in the case.

The referees delivered their opinion in writing, in form following:

SUPREME COURT.

Daniel Cornell and Ransom Clark, late Commis-
sioners of highways of the town of Guilford,

vs.
The town of Guilford.

“By the Revised Statutes, vol. 1, page 340, sub sec. 4, the electors of each town have conferred upon them the power, at their annual town meeting, *to direct the institution or defence of suits at law, or in equity, in controversies between such towns and corporations, individuals or other towns.*

At the time of the annual town meeting in Guilford, 1836, there was as appears by the evidence in this case, a difficulty between the town of Guilford and the Oxford and Butternuts Turnpike Company, in consequence of that company having taken possession of one of the town's highways and bridges, and a release to said company of the said road and bridge was brought before that town meeting, and the electors decided by resolution, not to release the aforesaid road and bridge to the company; and we have come to the conclusion, from a careful examination of the whole evidence in the case, that the electors of the said town did, at this same town meeting in 1836, authorize, if not direct the institution of a suit, by the commissioners of highways of that town, against the aforesaid Oxford and Butternuts Turnpike Company, to recover damages, sustained in consequence of said company taking possession of said road and bridge. The plaintiffs in this suit with Sylvester Humphrey, were at the annual town meeting in Guilford, in 1838, elected commissioners of highways of that town, and in October, 1838, commenced a suit against the aforesaid company to recover damages of the company, for taking possession of and occupying the road and bridge in question, and a recovery was had in the Circuit against the company, for \$250 damages, which cause was taken to the Supreme Court, on a case made by the defendants, and the judgment reversed, and these plaintiffs rendered liable for the costs of said suit, amounting to something over six hundred dollars in all, and which the plaintiffs have paid, and bring this suit to recover the amount of the town of Guilford.

On the hearing of this cause, an objection was taken by the defendant's counsel, to the admission of any parol evidence to show the passage of a resolution at the annual town meeting in Guilford, in 1836, authorizing the commissioners of highways of said town to bring a suit against the said company, for taking possession of the said road and bridge, and it was insisted by the defendant's counsel, that as the statute requires a record of such meetings to be kept and duly entered upon '*the town book of records*', that the only evidence of the proceedings of such town meeting is the record evidence, and that no resolution by the electors of any such town meeting is of any validity unless reduced to writing and entered on the town book of records, according to the directions of the statute. This objection we consider not well taken in the present case, as it appears in evidence before us, that the original minutes of the town meeting in Guilford, in 1836, were not subscribed by all the officers of the meeting, as the statute requires, and consequently could not be legally transcribed by the town clerk upon the book of records of the town, and believing that when the resolution was passed by the electors of the town, and declared by the presiding officers of the meeting to be carried, it became the corporate act of the town, and that any omissions of the officers of the meeting, whose duty it afterwards became to sign and record the same, cannot invalidate the corporate act of the town, speaking through the electors, we have allowed the parol evidence of the plaintiffs to show the passage of this resolution at the annual town meeting in Guilford, in 1836, and we are satisfied from the evidence in the case, that such a resolution, authorizing the bringing of the aforesaid suit by the commissioners of highways of the town of Guilford, was passed at the annual town meeting in Guilford, in 1836, and it seems to us that there was a controversy in regard to the road and bridge, between this company and the town of Guilford; and as the electors of said town at this town meeting had full power and authority given them by the statute, to direct the institution of a suit; it is not very important to a decision of this case, to inquire which of the parties were in the right of that controversy, the town of Guilford, or the turnpike company. For were it conceded that the town of Guilford was decidedly in the wrong in that controversy, it would not affect the decision of this case. It seems to us that when a town engages

in a controversy, whether with a corporation or an individual, and authorizes any agent of the town to settle the controversy by suit, the town cannot, upon any principle of law or justice, when they have failed in the suit, and found by the end of the law, that they were in the wrong, turn around and say to their agents who have incurred and borne the expense of the litigation, that they are under no obligation to indemnify them; and in this view of the case, the only question we have deemed it important to look into the evidence in this connection to determine is, to ascertain whether the plaintiffs acted in good faith, in bringing the suit against this company, in pursuance of the resolution of the town. It does appear from the evidence in the case, that one of the plaintiffs had a private controversy with this turnpike company, and possessed quite angry feelings towards the company, but upon the whole evidence in the case, we cannot come to the conclusion that the plaintiffs brought that suit in bad faith. It appears from the testimony in the case, that the town of Guilford considered itself aggrieved by the wrongful act of this company, in taking possession of their road and bridge, and we can hardly believe that we are authorized in arriving at the conclusion, that the action was prosecuted in bad faith, especially when we consider the fact that the learned circuit judge, before whom that cause was tried at the circuit, after hearing the whole case, instructed the jury, that the plaintiffs were entitled to recover in their action against this company, all damages which the town had sustained, in consequence of the company taking possession of the road and bridge; in view of this fact we may as well conclude, that both the plaintiffs and their highly respectable attorney who brought the suit for them, believed they had a good cause of action, and if so, we are not authorized to say that the aforesaid suit was brought in bad faith; and there is another fact to be taken into consideration in this connection, and which has a bearing upon the question under consideration; it is a fact that one of those plaintiffs at least, was present at the annual town meeting in Guilford, in 1836, and witnessed the nearly unanimous sentiment of the electors of that town, in favor of prosecuting the company for the road and bridge. But it is said by the defendant's counsel, that the aforesaid action was wrongly

brought against this company, in the name of only two of the commissioners of highways. If this were so, it would not affect the decision of this case, for the attorney of the plaintiffs was more to be blamed than the plaintiffs themselves, for there could be no doubt of the right of the two to use the name of the three in bringing the suit, had the attorney deemed it necessary to join the name of Mr. Humphrey in that suit; and if the action was brought in good faith, and the plaintiffs had actually failed, or had their suit abated for the nonjoinder of the other commissioner, it cannot be said that as officers acting in good faith, they are personally to sustain the loss of the suit and pay the costs. It is said again, on the part of the defendant, that the subject matter of this suit has been determined by the town auditors of the town of Guilford, and by the subsequent decision of Judge Cowen, on the plaintiffs' motion for a mandamus, and that the subject matter of this suit has passed into judgment by these decisions; we cannot but dissent from this conclusion; the cases cited by the plaintiffs' counsel seem to furnish a perfect answer to this objection, even were the merits of the controversy passed upon by the learned judge, on the motion for a mandamus; (14 Johns. R. 76; 23 Wend. R. 649; 5 Hills R. 494; 13 W. R. 131; 5 Hill's R. 629; Angel and Ames on corp. 577; 2 Hill's R. 74.) We have not been able to say from the evidence before us, that the judge, in refusing to allow the writ of mandamus on the plaintiffs' motion, passed upon the merits of this controversy at all; and we may just as reasonably conclude that Judge Cowen denied the motion for the reason stated by him, in the cases in 2 Hill 47, and 5 Hill 629, as to say that he assumed to decide the merits of the controversy; and for aught appears, the judge may have denied that motion for some defects in the papers, upon which the plaintiffs moved. It is again said by the defendant's counsel, that as the statute provides for the auditing such claims against said towns by the town auditors, that it is the only remedy which the plaintiffs have. The point seems to us to be fully answered by the case *ex parte Lynch*, 2 Hill's R. 45, where Judge Cowen says, that "the statute authorizing a remedy by audit and allowance does not take away the right to an action, and this additional remedy is not incompatible with the right of action, but affords merely a cumulative remedy to the party." Another objection

made by the defendant's counsel is, that the bringing of that suit against this turnpike company was not authorized by statute, and was not within the scope of the duties and the authority of the commissioners of highways, and consequently the plaintiffs have no remedy over against the town. This point struck us with some force, upon the argument of the cause, but upon looking into the cases cited by the plaintiffs' counsel, 19 Johns. Rep. 289; 2 Adolphus and Ellis, 38 and 39, we have become satisfied that this objection is not well taken, and from the best consideration which we have been able to give to this point, we have concluded, that the rule which is applied between wrong doers, and which holds them, is neither indemnity, remedy over, or contribution, does not apply to this case. Lord Denman, in the case of *Betts vs. Gibson*, 2 Adolphus & Ellis 38, says: 'that there may be an indemnity between wrong doers, unless it appears that they have been jointly concerned, in doing what the party complaining knew to be illegal,' and he concludes his opinion in the case by saying, 'that when one party induces another to an act which is not legally supportable, and yet is not clearly itself a breach of law, the party so inducing shall be answerable to the other for the consequences.' It most clearly was not a breach of law for these plaintiffs, as commissioners of highways, to sue that company for taking possession of the town's bridge and highway, conceding they had not a cause of action, but it seems to us it was most clearly not so, in the case of the suit brought by the plaintiffs against that company, for they most clearly had a right of action against the company, and could have maintained an action against them, for the penalty under the statute, for obstructing the town's highway, in placing this gate across it, as suggested by the Chief Justice, in giving his opinion in the case, and it seems to us, there was more than probable cause of action against that company, in the form in which these plaintiffs brought their suit, although it was probably well adjudged in that case, by the Supreme Court, that the action was not sustainable. The only remaining point to be considered is the sixth and last of the defendant's points, and which is that this action is not given by statute, and no private action will lie against a town, unless authorized by statute, and to this point, the defendant's

counsel cited Angell & Ames on corp. 374, 2 Kent's Com 221, 2 Term Rep. 669. It seems to be adjudged, and we think for good reasons, by Lord Kenyon, in the case of Russel vs. the men of Devon, 2 Term R. 669, that no private action lies against a quasi corporation, as a town or county, unless it is expressly given by statute, and this case is cited by Chancellor Kent, in the 2d volume of his Commentaries, page 221, with approbation, as applicable to our towns and counties, but it certainly is not applicable to this case, for the private action is expressly given to these plaintiffs, by the provisions of our statute, if they have any claims against the town of Guilford. The statute is as follows: "Whenever any controversy or cause of action shall exist between any towns of this State, or between any town and an individual or corporation, such proceedings shall be had either at law or in equity, for the purpose of trying and finally settling such controversy, as in other suits between individuals and corporations." 1 R. S. old ed. 356 sec. 1. In view of the whole case then, it would seem that as the town considered itself aggrieved by the act of this company, in taking the town's road and bridge, and by their corporate act in town meeting, authorized these plaintiffs to prosecute that company, and as we are satisfied that the same was done by the plaintiffs in good faith and with probable cause to say the least, and as the plaintiffs have incurred this large expense in conducting this controversy between the town and that company, it would seem no more than just that the town should indemnify and make whole, the plaintiffs in the matter.

CHARLES MASON.

The said referees on the first day of March, 1845, reported that there was due to the plaintiffs from the said defendant, \$657.52.

After advisement, the court set aside report as aforesaid.

It is, therefore considered that the said defendant do go thereof without day, and that the said defendant do recover against the said plaintiffs, the sum of two hundred and twenty-four dollars fifty-seven cents, for the costs and charges of said defendant in and about his said suit expended, in the defence of the same, adjudged to the said defendant by the court now here, and that the defendant have execution, and the said plaintiff in mercy &c.

Judgment signed this 5th day of January 1846.

A. J. PARKER, Circuit Judge.

The town appealing from the decision of said referees to the Supreme Court, who reversed the decision of the referees, on the ground that the commissioners of highways had not power to sue in their own name, and only in the name of the town.

The case was carried to the Court of Errors, and there decided in favor of the town, on the same, or other technical grounds, by *a vote of ten to four, less than one-third of the whole court, nearly all of the law members of said court being absent.*

That upon the argument of the case in the Court of Errors, the attorney and counsel for said defendants (the town,) made and submitted to said court among others, a printed point in the words following, viz: "THE PLAINTIFF'S CASE SHOULD BE ADDRESSED EXCLUSIVELY TO THE LEGISLATURE," and it does not appear but that it may have been decided upon this point, the case never having been reported.

It appears by the number of petitioners for the relief of said commissioners, that about one half of the legal voters of the said town have asked for the relief asked for.

Your committee have come to a conclusion favorable to the prayer of the petitioners, for the following reasons:

1. It appears satisfactorily that the town of Guilford did feel themselves aggrieved at the forcible taking and occupation of said highway and bridge.

2. That they passed a resolution that they would not release to said company said highway and bridge.

3. That they passed a resolution directing said commissioners of highways of said town to sue the said Butternuts and Oxford Turnpike Company. And in pursuance of said resolution, the said Cornell and Clark did sue the said company in good faith, and with probable cause of action, in view of which the town of Guilford were bound in equity and justice to protect their agents in the discharge of the duty imposed upon them by the resolution directing the institution of such suit.

4. That they recognised said resolution directing said commissioners to sue said turnpike company; by auditing and paying a part of said expenses incurred by said commissioners in pursuance of said resolution and that they in justice should pay the balance.

5. That the town, by their attorney, have in the most solemn manner declared that the "case should be addressed exclusively to the Legislature."

Your committee therefore, ask leave to introduce a bill.

ELISHA WARD,
NATHAN BRISTOL, } Committee.
H. BENNETT,

State of New-York.

No. 15.

IN SENATE, FEB. 5, 1852.

REPORT

**Of Committee on the Judiciary, relative to preamble
and resolutions of the Canal Board.**

Mr. Vanderbilt, from the judiciary committee, to which was referred the preamble and resolution of the Canal Board, asking the passage of a law to submit to the Court of Appeals certain questions embraced in the following resolution:

“Resolved, That for the purpose of testing the legality of the said contracts and ascertaining the further power of the Canal Board, if any, over the same, that we respectfully recommend to the Legislature to provide by law for the immediate submission to the Court of Appeals of the questions mentioned in this resolution.”

REPORTS:

That the resolution on the part of the Canal Board seems to aim at two points. 1st. The validity of the contracts; and 2d, the further power of the Canal Board.

It is not the intention of the committee in considering this resolution, to volunteer any opinion in reference to the validity of the contracts referred to, or to concede that any power exists in the Canal Board over the same, or in any manner, under the present reference, to express an opinion on these points. The committee conceive that their duty should now be confined to the question whether

a law ought to be passed requiring an immediate submission of the subject of the resolution to the Court of Appeals.

The novelty of the whole matter, the fact that the passage of the proposed law, would be a precedent for future legislation, the result on the judiciary system of our State, the operation of a law on the contracts already entered into, the effect sought to be produced on the minds of the court of last resort of this State, and the shelter to be afforded to our public officers in the discharge of their plain duties, all conspire to render the subject of grave importance.

The Court of Appeals is the court of last resort to which the citizen applies for redress. The name affixed to that tribunal by the Constitution, imports that it was intended as an *exclusively appellate* court; and although the 5th section of the 6th article of the Constitution provides that the Legislature shall have the same power to alter and regulate the jurisdiction and proceedings in law and equity as they have *heretofore possessed*, yet it is believed that never in this State has the court of last resort had imposed upon it the duty of advising, in advance, the legislative or executive officers of the government.

Your committee have been unable, in all the past legislative history of the State, to find a precedent to justify the submission asked for in the resolution, and the only nearly analogous case they have been able to discover in England, is by no means one which would lead them to recommend the passage of a law for the objects contemplated by the resolution.

In England, submissions of a similar character are sometimes made to the *twelve judges* sitting in the exchequer chamber. This court, it is true, is an appellate court, but from its judgment there is still an appeal to the Lords, *as the court of last resort and of ultimate appeal*. In this State we have no such court. Were there such, the question might be relieved of some of its embarrassments.

In the judgment of your committee, it would be palpably unjust to individual contractors to forestall, (by an *ex parte* opinion upon the validity of their contracts with State officers,) the judgment of the court of last resort or, if these contractors, to the number of many hundreds, could be brought into court to maintain their rights, the proceedings, if not an infraction of the constitutional sanction of trial by jury, would be most unwieldy and interminable, to the great

embarrassment and detriment, in the meantime, of individual contractors and the public interests.

It would also establish a precedent, by which new advisory duties might be added to the court in every period of excitement or disappointment, thereby affecting the independence of the judiciary, and defeating the wholesome purposes for which the court was created.

The court had on its calendar for the last term, more than 230 causes, has not heard more than sixty of that number, and leaving 174 causes yet to be disposed of, and the calendar is continually increasing from term to term. And your committee do not deem it wise to add additional duties to a court already burdened, and concerning which fears are already entertained that it may fail to accomplish the purposes for which it was originally intended.

And finally, your committee believe that the prompt and searching investigation into alleged canal frauds, now in progress, demanded alike by justice to the parties accused and to the public interests, would, in the opinion of the committee, be misdirected and impeded by this unprecedented manner of questioning the validity of the canal contracts.

Your committee therefore believe, and so report, that no such law ought to be passed by the Legislature.

Respectfully submitted,

JOHN VANDERBILT,
GEORGE R. BABCOCK,
AZOR TABER.

State of New-York.

No. 16.

IN SENATE, JAN. 28, 1852.

REPORT

Of the committee on Claims, on the petition of Abijah Osborn, for relief.

Mr. Jones, from the committee on claims, to which was referred the petition and papers of Abijah Osborn, for a re-hearing before the Canal Board,

REPORTS,

That the petition states in substance that in the year 1838, the petitioner entered into two contracts with the State, for constructing locks Nos. 44 and 45, of the Erie Canal enlargement: That he commenced and continued the work on the same until the fall of 1842, being about five months after the suspension of the public works, by the act of 29th of March of that year. That the work done in the summer of 1842 being chiefly directed in securing the masonry, and the materials procured for the same, directions having been given to discontinue all other parts of the work. It is further stated, that at the time of suspension, there were materials procured for the masonry amounting to \$30,000, as shown by the estimate of the engineers, some portions of which were at the quarries, and others on the banks of the canal in Montgomery, Herkimer and Onondaga counties: that all the lock walls were unfinished and unprotected: It is further stated that the

work performed subsequent to the passage of the suspension act, was done with the knowledge of the Canal Commissioner and engineer, who stated that the completion of the masonry was needed for the protection of the structures: that the work so done in the summer of 1842 was estimated at \$9,336.32, no part of which sum was paid until the resumption of the work in 1847, in which year the work was resumed, and completed in 1848. By the suspension of the work and long delay, the expense to the petitioner was greatly increased in completing his contract, and for his loss and damage resulting therefrom, he sought relief by application to the Canal Board, in March, 1850, under the provisions of the act of 1843; proving his losses by showing the difference of the cost of the work in 1842, and the performance of the same in 1847—'8. That the Canal Board denied the claim, on the ground that by completing the work, it was of itself a waiver of the claim. The petitioner denies having waived his right, or having released any claim for damages for the delay, and its attendant expenses, caused by the act of the State for its supposed benefit, and not from any contingency growing out of the contract. Petitioner therefore claims such damage as shall be just and proper, asking that a law may be passed authorising the Canal Board to re-hear and adjudicate his claim.

Your committee have investigated the allegations contained in said petition, by reference to the records in the proper department, as well as the statements of the acting Canal Commissioners having charge of the work in question, at, and for some time subsequent to the passage of the act of 1842, suspending the prosecution of the public works, and find them correctly stated in all material points. The two contracts of the petitioner for constructing locks Nos. 44 and 45 of the Erie Canal enlargement, were entered into November 21, 1838, and soon thereafter the work was commenced, and continued up to the time of suspension by the act above cited. At the date of this act he had performed the following work, as appears by the books of the Commissioner, and also by Assembly doc. No. 209, of 1847, viz:

Lock No. 44,	\$70,644 21	
" 45,	75,498 89	
	<u> </u>	\$146,143 10

For this work he was paid as follows:

Lock No. 44,	73,416 90	
" 45,	76,627 90	
	<u> </u>	\$150,044 80

Making over payment on work done previous to suspension, of \$3,901.70.

It appears that in the summer of 1842, the contractor performed labor on these contracts amounting to \$8,752.59, leaving a balance due him of \$4,850.89, which remained unpaid until 1847, when the work was resumed under act, chap. 259 of that year, and completed in 1848, or year following. By the statement of Benjamin Enos, late Canal Commissioner, hereto annexed, marked A., the work of the contractor, at the time of suspension, as well as the materials provided therefor, was in such exposed condition to injury and loss, as to render indispensable a continuance of the work for its protection, and although the commissioner had no authority to direct its prosecution, nor funds to meet payments for the same, he did not interpose objection to the work so necessary, being done by the contractor with his own pecuniary resources. The petitioner, whether from a laudable desire to protect the interests of the State or from other motive, went forward with his job, by which, in the opinion of your committee, the State has been essentially benefited. The masonry, which was greatly exposed at the time of suspension, having been thus substantially finished, the locks were readily brought into use upon resuming the enlargement in 1847; a large quantity of costly material rescued from injury and loss, and an earlier use of new double, instead of a single dilapidated lock, secured to navigators of the canal.

It may be asked why did not the petitioner apply to the Canal Board for his damages upon the passage of the act for relief of

contractors in 1843 ? It is to be seen by the files in the Canal Commissioners' office, that he was about to make such application and had his prospective profits estimated by the engineer, amounting to \$1,400, but finding the Board had no authority, by the provisions of said act to make allowances, other than those occasioned by the breach of contract on the part of the State, and that the board could not award him for the amount expended on the work in the summer succeeding the suspension act of 1842, he deferred the prosecution of both branches of his claim at that period.

The case of the petitioner appears to the committee as one presenting stronger claims to the favorable interposition of the Legislature, than are usually exhibited in seeking remuneration for canal damages. The Commissioner, having charge of the work in 1847, seemed to take this view of the matter at that time. He says, "that he waived taking any release of the contractor for damages in consequence of the suspension of the public works; that on consultation with the Comptroller and Chief Engineer, they deemed this case as possessing equities not attached to most other contracts, on the renewal of which, releases were invariably exacted." The original paper, renewing petitioners contract, hereto annexed, marked B, shows that no release of subsequent claim for damages resulting, not from his own, but from the sovereign act of the State, was given or demanded. It would, therefore, appear that the petitioner had an equal right, in common with other contractors, to be heard before the Canal Board under the provisions of the act of 1843. The petitioner states that he did apply for such hearing, but that the Canal Board denied him relief on the ground that his having completed his contract in 1848 was a waiver of his claim to relief for any damages.

Your committee do not concur in this view of the case, considering the determination of said board to be unsustainable by the facts herein set forth, and that it is to be presumed the board came to its conclusion from a misapprehension that the petitioner on the renewal of his contract, relinquished all claim upon the State for losses and damages growing out of his original contract. On the contrary it is seen that he has occupied the same posi-

tion as other similar claimants, and, in the opinion of the committee, is still entitled to like relief by a rehearing before the Canal Board for his alleged damages.

The committee therefore, respectfully ask for leave to submit a bill in accordance with the prayer of the petitioner, for the consideration of the Senate.

NATHANIEL JONES,
E. WARD,
J. B. WILLIAMS.

(A.)

STATEMENT OF BENJAMIN ENOS.

I hereby state that I was Canal Commissioner at the time of the suspension of the public works in April 1842, and had charge of that division of the canal in which Locks No. 44 and 45 Erie Canal enlargement are situated, and of which A. Osborn was the contractor. That at the time of the suspension aforesaid, the walls of the locks were unfinished, and materials to complete them, and of a large amount, remained either at the quarry, on the bank of the canal, or at the yard contiguous to the locks, as I was informed, were more or less exposed to injury and want of protection. That the contractor, on the opening of navigation that spring, or soon after, commenced heaving said materials and laid them in the walls of the locks; and that summer, substantially completed the masonry, and then discontinued the work, having been directed so to do. And I further state, that I was satisfied that the interest of the State was essentially promoted by the work's being done at that particular time. Had the materials not then been secured, many of them would have, undoubtedly, shared the fate of others left under like circumstances. The walls so unfinished and exposed, would have suffered more or less from dilapidation. And moreover, the work was then put in such a state of forwardness, that on the resumption of these public works in 1847, these structures were the more readily brought into use. The completion of these locks was a very important consideration in the navigation of the canal. They occupied the prism of the Erie canal, and consequently temporary canals were constructed around them, which at times rendered navigation of those places inconvenient and hazardous.

BENJAMIN ENOS,
Late Canal Commissioner.

Sworn to and subscribed, this 23d }
January, 1852, before me, }

N. JONES, *Chairman on Claims.*

(B.)

The undersigned Abijah Osborn, hereby agrees by permission and consent of the Canal Commissioners in charge, to resume and complete the within contract, according to its terms, conditions and restrictions, and shall fully perform the same on his part by the twentieth day of September, 1847.

Dated at Albany, June 7, 1847.

A. OSBORN,
NATH'L JONES,

For the Canal Commissioners.

Signed sealed and delivered in the presence of
FRANCIS P. CURREY.

ALBANY, Sept. 18, 1847.

It is hereby mutually agreed by the contractor and Commissioner, that the time for the completion of the within contract, shall be extended to 15th March, 1848.

A. OSBORN,
NATH'L JONES,
For the Commissioners.

State of New-York.

No. 17.

IN SENATE, JAN. 28, 1852.

REPORT

Of the committee on claims, on the petition of William Buel, for relief.

Mr. Ward, from the committee on claims, to which was referred the petition of William Buel of Rochester, for damages in being deprived of the benefit of a contract entered into for the construction of the locks at Lockport,

REPORTS :

That the said petitioner, as appears by his petition on the 7th day of January, 1840, with one Asa W. Douglass, became interested by purchase in a contract previously entered into by Solomon Parmelee, Horace Parmelee, and John P. Smith, with the Canal Commissioners, on the seventh day of September, 1838, for the construction of the combined double locks at Lockport, to the extent of three-fourths of the whole contract; and that by a subsequent assignment from John P. Smith, the remaining party, he acquired the remaining part of the whole contract, having also acquired the interest of his co-partner, the said Douglass.

A copy of the original contract with the Canal Commissioners will be found in Senate documents of 1844, No. 130.

The petitioner represents that his several interests so acquired cost him in the aggregate over sixty thousand dollars. The petitioner does not state at what time he acquired his whole interest in the said contract, nor what sums were paid severally for each, nor afford your committee any clue to determine (nor, perhaps, is it material,) whether any or all of the aforesaid large sums was paid to acquire the mere prospective advantages of the contract, or the benefit of claims arising from a partial execution of it. Nor can the doubts of your committee be relieved by any inference to be drawn from the petitioner's statement, that at the time he became *interested* in the said contract, a very small part of the work had been done.

By the evidence of Solomon Parmelee and others, taken by a select committee of the Assembly in 1846, appointed to investigate certain frauds committed on the canals of this State, and reported by them at page 359 and afterwards, of their report, it appears that a large amount of work had been done before the petitioner became the sole owner of said contract. And there are circumstances disclosed in that report that go far to convince your committee that the petitioner was to some extent indirectly compensated for his purchase, out of the funds of the State, paid him under a return of a change of classification of material previously excavated, when there existed no just grounds for such change.

The petitioner further states that having acquired the said contract, and assumed the responsibility of excavating it, he was rapidly and successfully prosecuting said work towards completion with a fair prospect of large profits for his superior skill and economical management, when under the law of 1842, the work was suddenly arrested, and his calculations and business suddenly thwarted and deranged.

The petitioner further states that under the act of 1843, passed for the relief of canal contractors, he presented his claims to the Canal Board for damages, and obtained an award, the amount of which he does not state, nor the time when the same was awarded, but which, by Senate document of 1844 referred to, appears to have been for the large amount of \$74,504.68, which award was

claimed as prospective damages on the ground of the difference between the actual cost and contract price of the work to be done under the contract; and which the said petitioner alleges was less than three-fourths of the actual damages; and also complains of the improper allowance against him of certain claims for interest on money actually advanced to him by the State in advance, or before he was entitled to demand it by his said contract, and other items which are among the grounds set forth on which he prays to be relieved, although the petitioner admits that he did not avail himself of the benefit of a rehearing under the subsequent act of 1845, alleging, among other things, that he had no new proof to offer.

There are many other matters stated in the petition, in connexion with this branch of the case, such as the subsequent re-letting of the work on the resumption thereof to the son of the petitioner, as the lowest bidder, who bid in opposition to the petitioner, and without his knowledge; but which not being deemed material, your committee forbear to encumber their report with a recapitulation of the same. It appears, however, that the petitioner succeeded in purchasing the said contract of his said son for the sum of ten thousand dollars, and completed the work according to said contract, in July, 1849. One ground of the petitioner's claim is to obtain damages sustained in not being allowed to go on and complete the work according to his first contract, when the public works were resumed. Your committee are unable to find any precedent, or discover any argument that would sustain them in charging the State with the damages which the petitioner has sustained by this irreverent and undutiful competitor. They cannot regard it as just or equitable as long as the claimant had put an end to his original contract, and his consequent right to continue the work, by electing to claim and accept in lieu thereof his damages for a rescission of the contract, leaving the State at perfect liberty by every principle of legal or moral justice to relet the work contracted for to whomsoever it might judge for its own interest, and on such terms as might be judged most to its own advantage.

As a further and distinct ground of damages or relief, the petitioner states that at the time of the suspension of the public

works in 1842, the State was indebted to him for work previously done under his said contract, which remained unpaid for several months and some part of it for over two years, and on which sum the amount of which is not stated, though the principal we are left to infer was paid as soon as liquidated, the petitioner now prays interest, but unfortunately your committee cannot discern in this statement any just ground to make a discrimination in this case in favor of allowing the petitioner this claim in opposition to the settled and general rule on this subject which your committee see no reason and feel no disposition to disturb. The grounds of charging a debtor with interest in transactions between individuals are either an express promise to pay interest or a wrongful withholding of the payment of a debt already established after the same is justly payable. It is the duty first of the creditor to establish or liquidate the debt, the law then transfers to the debtor the duty of seeking his creditor and discharging the obligation, and if he does not, the law presumes him to be using the money in his own business, and charges him with interest. But no such theory can apply to the State. The State never speculates nor carries on private business. Its funds are all trust funds. It does not withhold the payment of the debt that it may use the money. It must always be ready to meet its debts when liquidated, and must necessarily, in order to maintain its own credit, hold in its treasury idle, or under its immediate control, a fund sufficient to meet contingencies.

It therefore only holds the money in trust until the justice of the claim can be established and its amount liquidated; and though delays often intervene and protracted investigation may in point of fact defer for a time a final adjustment, such results are not peculiar to our institutions, but will be found incident to the proceedings of all governments.

Your committee do not therefore regard the principle, that the State is always ready to pay its debts, and therefore, not justly chargeable with interest, as an idle theory or dishonest fiction with which the public creditor is to be mocked and tantalized, but as an axiom in government, flowing from correct premises and founded in true policy.

And though, individual hardships may sometimes seem to arise, your committee do not feel authorized to recommend a departure from that policy, where every fact assumed in the theory on which it is based, is in reference to this State strictly true. It is the only security the State has, against stale demands. It would bring imputations upon its good faith, and justice to interpose the lapse of time as an answer to the claims of its citizens. Neither can the State move in the matter, but must remain passive, except to provide just laws and regulations to facilitate adjustment. The claimant must therefore be the moving party, by presenting his claims and producing his proofs. Were the State to go farther, and force the claimant before a tribunal, whether prepared or not, would be a proceeding extremely arbitrary, and often in its results would be but little better than confiscation.

Charging the State, therefore, with interest, would often subject the State to the consequences of the neglect or misfortunes of the creditor.

The certainty once established, that interest is to be allowed in the end, as incident to principal, would present to the claimant the alternative of pursuing a prompt and vigorous, or idle and dilatory policy, according as the one or the other might promise the greater advantages, and the State would soon be unable to present any reasonable conjecture as to the amount of its indebtedness, or perhaps as to its own solvency.

To allow interest, therefore, as a general rule, in all cases, would be so obviously impolitic that your committee are convinced it will, when its consequences and tendency are truly disclosed, find but few enlightened advocates. The only alternative method, that of allowing it in special cases, "*ex gratia*," and as matter of discretion, has in the opinion of your committee even less to recommend it, as opening a door to interminable special legislation, individual importunity, and unjust favoritism; your committee would therefore feel constrained to guard against the consequences of such a pernicious precedent, however strongly urged by the appearance of individual hardship.

Neither are your committee prepared to hazard the precedent, prayed for in the petition of granting him, the petitioner, com-

pensation for certain losses sustained by him in the forced sale of certain State stocks, which he purchased of the State, and which he was forced, as he alleges by the necessity of his affairs, to dispose of for less than their par value, while we believe that the State will always recognize its obligations, and be able to provide payment at maturity for all its indebtedness. We cannot admit it to be the duty of the State, always and at all times, to protect against individual losses on the transfer of its obligations in the various stock transactions of the world. And we can hardly conjecture to what length the principle would in the end be pressed, if a single precedent should be incautiously admitted.

The committee are unanimous in the opinion, that the petitioner is not entitled to favorable actions, on any of the grounds set forth in his petition; and they regret the necessity they feel under, of making this case the subject of a more extended report, a necessity arising from the great length of the petition, the several matters set forth and detailed at length therein, and their anxiety to impress on this case, visibly and indelibly its true character.

There are two points of singularity in this case, and its attending circumstances to which your committee beg leave to refer and call the attention of the Senate. The first is a very singular prayer of the petitioner, as to the mode of ascertaining his damages, and the rule by which he desires them to be computed.

The petitioner seems to be influenced by a strong aversion to the Canal Board, and, in his petition, seems to labor to impress on the Senate the conviction that an act, referring his claims to that Board for re-examination would result in inadequate relief.

The petitioner "therefore respectfully asks that a law be passed referring the matter to some *competent tribunal*, to ascertain and determine the damages which he sustained by reason of depriving him of the first contract, above mentioned, upon the same principles that damages on a breach of like contract are ascertained and determined, and, also, to ascertain the amount of interest justly due him, and the loss sustained on said stocks by reason of the State's not paying him as the work progressed, and

when such amount shall be ascertained, authorizing and *directing* the same (after deducting therefrom the former award) to be paid to your petitioner."

If the committee could for a moment countenance the aspersion upon the Canal Board, which seems to be the principal argument with the petitioner, and which would seem to receive their sanction, if the committee should now recommend to re-open the case, after one adjudication by the Canal Board, and send it, in the language of the petitioner, to some *competent tribunal* in seeming indignation, that the said Board, at the former hearing, had allowed the petitioner only the sum of \$74,504.68 for his loss of profits, they would be unwilling to place the State before any tribunal, however "competent," in that attitude of helplessness which would result from an act to exclude the State from the benefit of every other payment, allowance or consideration, legal or equitable, except the single award above mentioned without being better assured than they are; that other large sums allowed and paid under the said contract would not be entirely lost to the State under the construction such "competent tribunal" might rightfully put upon such an enactment.

On examining the provisions of the "act authorizing the Canal Board to grant a re-hearing in certain cases, passed May 13, 1845," an additional reason suggests itself as having possibly influenced the mind of the petitioner in declining the benefit of its provisions altogether, burthened as they were with the condition of repaying to the State such sums as he might already have been over paid. And when the great amount of the award is considered, and the great difference always to be expected in the minds of different men in regard to matters of such great extent, presenting so many various considerations to be regarded in the estimate, your committee are not prepared to decide, but that he took an enlightened view of his own interest in declining the benefits of that act altogether, and deciding to wait until some hasty act of special legislation should enable him to obtain a rehearing without incurring the hazard of such a condition.

The petitioner states that he claimed damages under the act of 1843 before the Canal Board, as the ground of his claim on which

this great award was founded for the difference between the contract price and the actual cost of the work, to be done as ascertained by reference to work done and the opinion of experienced engineers. In other words the mere profits of a speculation and this large award in favor of the petitioner, must be presumed to be based on that claim, as we are without any evidence to conclude that the expense of machinery and other preliminary outlays, which were not otherwise paid for under estimates for work done, could have constituted but a small portion of this sum. Your committee consider it undeniable that this large sum of money was awarded mainly if not entirely to the petitioner, not for any benefit that the State or its people had received, or not for any thing actual and real that the petitioner had lost or been deprived of by the State, but *prospective damages*, speculative and conjectural, if not entirely fanciful, liable at all times to be greatly exaggerated by fanciful estimates and visionary calculations. And it is a well known truth, almost proverbial, that no human sagacity or foresight can so far provide for all contingencies and accidents inseparable from the execution of such great undertakings as to bring the actual cost when executed, within the anticipated estimates.

His claims did not arise out of any wanton injury done him by the State or any of its officers. The loss of his expectations was an accident, and possible hardship, arising out of paramount State necessity and the adoption of measures supposed to be required by a duty the State owed to the preservation of its own credit and institutions.

The State, in its effort to hasten the completion of its public works and improvements, and to diffuse blessings and happiness to all its people, had found itself compelled to stop and suspend for a time their completion, and out of that necessity arose the damages or disappointment complained of, and for which he has already received this large allowance.

That the State after having provided an ample recompense for all just claims for work done, and money expended, should carry its justice further and provide laws which should extend to every citizen aggrieved, the right and the means of pursuing the State

further for ulterior and speculative damages, and when proved paying them, places the State before the world as an example of distinguished justice and good faith ; and your committee find in it just cause to be proud as well of the justice as the enterprize of your State, and feel increased zeal and devotion for its honor and advancement ; such is our country !

And it would seem that the reflection, that such is the spirit of its institutions, and so noble its justice, should inspire the petitioner with some patriotic forbearance.

And the State having once granted him a full and fair hearing and made him this large remuneration, has done all that was due to the petitioner as a citizen, and all that was due to its own character; and to re-open the case and grant a rehearing in favor of a claim of this character, without any suggestion of wrong or error, except the possible infirmity of human judgment, in a matter where so great diversity of opinion must necessarily arise, would be carrying its justice towards one citizen to an extreme that ought to be without precedent, and would tend to stimulate rapacity by diffusing the pernicious belief, that the treasures of the State were never safe under the most solemn adjudications, from becoming the sports of favoritism and corruption ; your committee therefore recommend the passing of the following resolution :

Resolved, That the prayer of the petitioner be denied.

E. WARD,
NATHANIEL JONES,
J. B. WILLIAMS.

State of New-York.

No. 18.

IN SENATE, JAN. 20, 1852.

REPORT

Of the committee on canals on the petition of John P. Smith, for relief.

Mr. Pierce, from the committee on canals, to which was referred the petition of John P. Smith, for an act authorizing the Canal Board to make him an allowance for work performed on sections 1 and 2 of the Erie canal enlargement, in the city of Buffalo, beyond the terms contemplated in his contract, and also for work still remaining to be done on said contract,

REPORTS:

That the facts substantially sustain the application of said Smith, as set forth in his petition as follows, to wit:

To the Legislature of the State of New-York :

The undersigned respectfully represents, that on the 17th day of November, 1849, Asa T. Smith, Reuben W. Fuller, and himself, contracted with the Canal Commissioners for the construction of sections No. 1 and 2, of the Erie canal enlargement, located in the city of Buffalo, and that subsequently the entire interest of Asa T. Smith and Reuben W. Fuller was assigned to him.

The amount of work originally contemplated to complete the sections was,

172,000 cubic yds. earth excavation.

12,000 do rock do

13,500 do vertical wall.

That he commenced work under his contract 20th Nov. 1849, and continued until the 24th December following, when he was officially informed that the Canal Board had on the previous day resolved to construct the canal 150 feet wide, at the bottom, (100 ft. being the width originally contemplated,) and that the wall should be carried up with a batter of 3 inches to a foot; thereby greatly increasing the work above the original estimate, proportionably increasing the bailing, and the danger from floods.

That for the purpose of bailing the work a dam across the canal became necessary, and he constructed the same at the Erie street bridge, bailed out the canal by steam power, and was proceeding rapidly with his work, when on the first day of February, 1850, an extraordinary storm occurred, which raised the waters of lake Erie, carried away the dam above mentioned, and entirely inundated his work; that immediately thereafter he commenced work with all the force available, and was engaged until the 22d February before the dam could be rebuilt, and the great amount of water bailed out. That he was afterwards delayed by the "turning out" of his hands, though at the suggestion of the Commissioner, he had promptly paid them liberal wages in cash. Notwithstanding all these difficulties, before the opening of navigation in 1850, he had performed

172,876 cubic yards earth excavation,

6,713 do rock do

4,620 do vertical wall,

at a very heavy loss and sacrifice to himself; after which the work was necessarily suspended during that season of navigation.

That after the close of navigation in 1850, he again commenced work on said sections, and at the request of the Commissioners and engineers he constructed the dam for bailing, at the Commercial street bridge, about 1000 feet from his work, to enable the State

officers and hands to repair the docks and clean out the bottom of the canal, between the dam and his work, by reason whereof his bailing was greatly increased; that he completed the dam and bailing on the 13th January, and progressed with the work for three days, when an unprecedented flood from Lake Erie occurred, which again carried away his dam and the bridge, and again inundated his entire work. That as soon thereafter as was practicable, he again went at work with all the force that could be advantageously used, and with the utmost diligence, he was only able to build the dam and bail out the water, so far as to work on the sections seven days, during the month of February. That after working seven days, another freshet occurred which threatened to flood all the surrounding property, and he was required by the Engineers to cut away sluices, that the surface water from the adjacent streets, lots and cellars might be discharged into the canal, the consequence was that his work was again flooded, and had to be again bailed. That he continued work upon the sections until about the open of navigation in 1851, when he was directed to stop by the engineers.

The whole amount of work performed by him under his contract, is as follows:

183,629	cubic yard	earth excavation.
865	do.	embankment.
14,355	do.	rock excavation.
9,433	do	vertical wall.

From which it will be seen that a much greater quantity of work has already been performed than was originally contemplated, and still there remains a large amount of work to be done, in order to finish the sections, which the undersigned is entirely unable to perform without additional compensation, having already sacrificed a respectable fortune in the work already constructed and in use

Your petitioner respectfully submits that his loss was occasioned principally from the amount of bailing, occasioned in part by reason of the increased quantity of work, and building the dam at the point required for the accommodation of the State,

but principally by an act of Providence, which no human sagacity could foresee, and no human power could avert, namely, the unprecedented floods from Lake Erie. That while he freely admits that there are hazards attending all work of any considerable magnitude, yet that a calamity so serious as the one from which he prays to be relieved, never could have been anticipated, and a proposition based upon the contingency that it would happen, would not have been entertained for a moment.

He further submits that he has performed his work precisely as directed, required or advised by the Commissioner or engineers, and every precaution taken against floods or accidents, which was suggested or deemed necessary, and that under such circumstances he hopes for that relief which humanity, justice and equity entitle him to, and which it has so far been the policy of the State to extend.

He prays for the passage of a law authorizing the Canal Commissioners, subject to the approval of the Canal Board, to allow him for the work performed and to be performed, such sums as shall in their opinion, under all the circumstances of the case, be a just compensation for the same.

JOHN P. SMITH.

State of New-York.

No. 19.

IN SENATE, JAN. 29, 1852.

MEMORIAL

Of two hundred and fifty-nine members of the New-York and Liberia Emigration and Agricultural Association, for an appropriation.

To the Honorable the Legislature of the State of New-York :

We your petitioners respectfully represent that we are native residents and citizens of New-York, that our forefathers were ruthlessly torn from their native land by the strong arm of avarice, and brought here to contribute to the wants and caprices of task-masters without recompense. That after years of hard and oppressive service on every side, we find ourselves hemmed in on every side by the law of prejudice and caste, and have come to despair of ever enjoying here, the rights and privileges of citizenship, and an equality before the law with our more fortunate brethren.

Your petitioners have watched with great interest, the efforts which have been put forth by the enlightened legislators and philanthropists of this State, for the amelioration of the condition of our people; and more especially the recent effort made to extend to us the exercise of the elective franchise. We have seen these efforts frustrated and this privilege denied us by an unprecedented majority of the free voters of this State. Convinced that we may no longer hope for an improvement of our condition

here, and that we should be wanting in self respect to desire longer such relations ; we, after mature deliberation and consultation among ourselves, determined to organize an association for the promotion of emigration to, and agriculture in the republic of Liberia, believing that there only can we really enjoy those estimable rights " life, liberty and the pursuit of happiness." Such organization was completed on the 21st day of October last, and our society commenced operations under the name or title of the New-York and Liberia Emigration and Agricultural Association.

The question of emigration has not as yet gained the favorable attention of our people, and our purpose is to demonstrate its necessity and practicability, being confident that we can do so with more immediate success than any other organization now in existence.

To carry out this design and to prosecute our plan vigorously and successfully, we greatly need funds, and humbly pray your honorable bodies to make an appropriation of say, twenty-five thousand dollars, to be expended by this society in purchasing land and fitting out and preparing for emigrants in the republic of Liberia, under such limitations and restrictions as shall seem to you wise and necessary.

And your petitioners will ever pray, &c.

Signed by the members of the association.

T. J. Cunningham, No. 88 Cedar-street,	family	6
Smith Thompson, 44 Lawrence-st.,	"	3
Richard Shorter, South seventh-st., Brooklyn,	"	3
James America, Howard Hotel,	"	1
George Kirk, 16 Pell-st.,	"	6
Frederick R. Douglass, Pell-st.,	"	3
James Black, Howard Hotel,	"	1
J. E. Young, 6 Pearl-st.,	"	7
John Davis, 51 Elizabeth-st.,	"	1
Charles Freeman,	"	1
W. Christian, Howard Hotel, Brooklyn,	"	1
S. Christian, Lawrence-st.,	"	3
B. Gaulk, Church and Park place,	"	1

Names of heads of families.	No. in family.	Names of heads of families.	No. in family.
S. Colgate,	1	C. R. Freeman,	5
J. Gates,	6	W. Berrey,	6
J. Breek,	1	J. Dean,	3
J. Prune,	2	R. V. P. Ledd,	4
John Beaven,	1	J. W. Brown,	7
D. H. Anderson,	4	A. Sylvester,	3
Walter Lawrence,	1	J. A. Lee,	4
William Prentice,	3	J. W. Adams,	5
J. Wetmore,	1	W. Gorsuch,	3
G. Bartlette,	1	T. Burk,	9
G. T. Dixon,	5	G. H. Bridgman,	3
B. Alman,	1	S. Johnson,	4
W. Abbey,	3	W. Stewart,	5
D. Ellis,	6	E. Hall,	3
W. B. Emery,	5	G. Bentley,	1
E. G. Jones,	3	E. Burton,	4
W. Veasay,	3	E. Madison,	1
J. Hilton,	1	W. B. Arvery,	6
J. H. Roberts,	2	J. Smith,	
A. Caldwell,	8	J. Slater,	8
G. Riddle,	2	P. Philips,	6
N. Gallego,	6	R. A. Peterson,	5
P. Pozen,	3	J. Harlston,	3
J. M. Richardson,	6	G. C. Vandike,	2
J. H. Wilson,	1	G. B. Osburn,	5
J. Lee,	3	J. B. James,	3
J. Ried,	1	R. Henock,	4
C. Ferton,	2	D. Salters,	2
W. T. Anderson,	4	C. Goodson,	3
W. Harper,	4	G. Sampson,	4
G. W. Kirk,	1	H. Dorsey,	1
W. C. Anderson,	1	G. Logan,	6
G. Bailey,	1	J. Jamison,	1
J. H. Brink,	6		

New-York, January 23d, 1852.

State of New-York.

No. 20.

IN SENATE, FEB. 2, 1852.

ANNUAL REPORT

Of the Trustees of the Astor Library, for the year 1851.

To the Legislature of the State of New-York:

The trustees of the Astor Library in obedience to their act of incorporation, make this their third

REPORT.

Since the date of the last report, the trustees have steadily prosecuted to completion, their library edifice, and it is now all but finished.

By the terms of the contract with the builders, the building was to have been fully completed by the first day of April, 1852, but the unusual severity of the present winter has induced the trustees to permit a short delay, which may retard the final completion of the edifice for thirty or sixty days beyond the time agreed. The trustees may also deem it prudent for the more thorough safety of the books, to delay putting them on the shelves, until the close of the coming summer. The trustees confidently expect to be able to open the library in the new building, by the first of September next.

The amount expended upon the building, up to the first day of January, 1852, including the cost of the site, is \$93,930.87.

During the last year, the trustees have proceeded actively in purchasing additional books. For that purpose, the superintendent, Dr

Cogswell, has again visited Europe, where he has made very extensive and valuable additions to the library. A more particular statement of what he has accomplished, will appear by his report, of which a copy is hereto appended and marked A. It will readily be perceived by that report, that the constant changes which the library is undergoing, render it inexpedient, at present, to publish a catalogue of books, which must necessarily be incomplete and unsatisfactory. A copy, however, of the valuable index or manual, prepared by the superintendent, and mentioned in his report, is deposited in the State Library at Albany.

The total number of volumes purchased up to the first of January, 1852, is between fifty-five and sixty thousand. The amount expended up to that date in the purchase of books, is \$62,562.26.

Of the legacy of four hundred thousand dollars, left by Mr. Astor, the trustees have yet received only the two first instalments, being \$266,666.66. The two remaining installments of \$66,666.66 each, are not payable until the 29th days of March, 1852 and 1853.

The annual report of the treasurer, Daniel Lord, Esq., of which a copy marked B, is hereto annexed, will exhibit the funds, securities, and disbursements of the library, as existing on the first day of January, 1852.

New-York, Jan. 29th, 1852.

Respectfully submitted,

WM. B. ASTOR,

President pro tem.

SAMUEL B. RUGGLES, *Secretary.*

(A.)

REPORT

Of Joseph G. Cogswell, Superintendent referred to in the preceding report.

The superintendent of the Astor Library respectfully submits to the trustees of the same the following report of the progress made during the year 1851, in adding to its collection of books and its present condition in that respect.

In accordance with a vote of the trustees, passed at a meeting held on the nineteenth day of February 1851, authorizing me to visit Europe to buy books for the library to the amount of twenty-five thousand dollars, I took ship for England as soon after as practicable, and immediately on landing repaired to London to begin the work assigned to me. Finding the prices of books much advanced since my last visit there, in 1849, I did not think it expedient to buy largely until I had tried the book marts of the continent, and on that account I remained only a short time in London before I passed over to Brussels and Paris, and thence onward to Florence and Rome. In the course of the summer my search was extended through most of the great cities of Europe, from Rome, on the south, to Stockholm on the north, with a view to collect in each the books there published, which I could not be sure of meeting with elsewhere. The result of the tour was an addition to the library of many thousand volumes, selected from the best productions in science and literature, in all languages, which could not have been obtained in any other way, in the same time and for the same money. It satisfied me, however, that London and Paris are the best fields of operation for a buyer of books, to a large amount in single copies, when he can take time for it. By waiting and watching one may have an opportunity of obtaining almost any book that can be named, in one or the other of these two great cities, in the course of a year or two, and the same remark will soon be true of New-York. But if little or noth-

ing, in point of cost, was gained by the wide survey, in many other respects it was serviceable to the library. It enabled me to form a personal acquaintance with the leading book sellers in the places visited, made me more familiar with the book trade, and with the libraries abroad, and afforded me an opportunity of making our own institution more widely known than it had been before. It was very gratifying to hear men like HUMBOLDT, and BUNSEN and LEPSIUS speak of it as an institution, in which the world was interested, and to find many persons desirous of offering some valuable volume or volumes to enrich its collection. Within a few years a great number of important and costly scientific, statistical and historical works have been published by direction and at the expense of the different governments of Europe, which we might have gratuitously, I have no doubt, if application were made for them through the proper channel. This expectation is based on the fact that the Astor library is universally free to foreigners as well as citizens, and on this ground it is especially entitled to favor. In the few instances in which the request has been made, it was promptly granted. Through the kindness of the Right Honorable EDWARD ELLICE, M. P., application was made, in behalf of the library to the Record Commission, for the volumes of documentary history, published under their direction at the cost of the British government, and an order immediately obtained for every work of which any copies remained on hand. With like readiness, the important statistical works published by the Danish government were given to the library, on application through JUSTITSRAAD BÖLLING. Through our ministers abroad, we might apply to the other governments for similar documents not yet obtained.

A considerable part of the books bought in Europe the past year, being either not yet arrived or not yet unpacked, and consequently not verified by invoice, I cannot now lay before the trustees a particular specification of the purchases. The whole sum, \$25,000, appropriated to this purpose by a vote of the trustees referred to, has been expended, and I have ventured to exceed the limit by about five thousand dollars, having had a very favorable opportunity for buying an additional number of books to that amount. The whole expenditure for the year, therefore, is thirty thousand dollars. For this sum the library obtains an addition of twenty-eight thousand volumes, if counted as they were published, but as in binding two or more are often reduced to one, the actual number, as now bound, does not much exceed twenty-five thousand volumes. These, with the volumes previously collected, make the whole number now be-

longing to the library nearly, if not quite, sixty thousand volumes, if counted as first mentioned, or not far from fifty-five thousand as they will stand on the shelves. The forming of so large a collection would have been attended with great difficulty, as well as labor, without the aid of the alphabetical list or index, which was prepared and submitted to the trustees early the last year. With this manual in hand, it could readily be seen, both what books the library already possessed, and what additions had been proposed to be first made. The copies laid before the trustees were marked so as to show what had been obtained, and similar marks now to be prefixed will show the acquisitions since made. This index, interleaved, may serve as an inventory of the library, until the collection shall be more nearly completed, and a perfect catalogue prepared. The additions in manuscript now amount to about two thousand volumes. The principle on which this list was formed, made it a safe and in general a sufficient guide. The wants of the community, as far as ascertained, was the ground work of the selection, and next the supplying of deficiencies in the previously existing libraries of the city. The selection has been made with due regard to the claims of every department of learning, and without giving preference to any one to the prejudice of another. I make this statement with great confidence, knowing how uniformly it has been my aim. But as books in some departments are much more costly than in others, and as it is in the most costly that the wants are greatest, large sums have necessarily been applied to works of that description, including those on civil engineering, public improvements, architecture, and the arts generally, and the voluminous accounts of the voyages and researches for scientific, geological and archaeological discoveries. All of these belong to the class of subjects of particular interest in the present day, and form an indispensable part of the collections of a public library. Ours is now rich in them. It is also well provided with the transactions of the learned societies; with works on natural history in all its divisions; on the mathematical and physical sciences; on civil history and its kindred branches, with good collections in general literature, both ancient and modern, and is approaching towards a full apparatus of grammars, vocabularies, dictionaries, and other facilities for acquiring the various languages of the earth. The last named class is becoming one of great importance to Americans. The position we now occupy brings us into near relation with countries formerly the most remote, and makes the study of languages one of practical utility as well as of necessity, for the learned inquirer into the origin and affinities of the various tribes of the

human race. It may be thought, perhaps, that the learned professions have not been borne in mind, as fully as the other departments in our collection as thus far formed, but it should be recollected that the library is bound to preserve its character as a general one, and hence cannot be expected to be made as complete in any speciality, as those which are established exclusively for such a purpose. It may be added, that it has repeatedly invited suggestions from professional gentlemen, of books by them deemed valuable and desirable in the collection, and that when made they have invariably been attended to. As respects the completion of special departments, it may be remarked that this desirable condition of the library can only be hoped for when they shall be made the objects of the fostering care of individuals whose studies and tastes are so directed. The funds of the library cannot properly be so applied, until it is brought much nearer completion as a general collection. Acting under this conviction, and knowing the necessity of a complete bibliographical apparatus for the proper performance of my own duties, I asked to be allowed to provide for the speciality of my own individual charge; it was kindly granted to me, and I have now the satisfaction of seeing the object so nearly accomplished that the collection is entitled to be called a well furnished bibliographical library. A thousand volumes have been added to it during the past year, and its whole number is now above two thousand.

A summary of a few words will exhibit the exact present condition of that part of the affairs of the library which is placed under my more immediate superintendence. The collection of books to constitute the library, in its original formation, is now about half made, and the unexpended portion of the fund set apart by the will of the founder for this distinct purpose, will probably increase its number of volumes so as to give it a hundred thousand when completed. In what remains to be done, a great service would be rendered to the library, if gentlemen conversant with books would send in lists of such as they desire to see added to it. In another way much may be done for its benefit. We want the public documents and State papers, both of Congress and the individual states, and may we not hope that they will be furnished gratuitously by legislative acts? Our American library is already very respectable in point of numbers, in the early histories and original authorities. The more recent works of every kind, would be very acceptable to it.

Before closing this report, I beg to be permitted to say a word in relation to the library edifice. On examining it since my return

from Europe, I find that although it may easily be completed in time to receive the books by the first of May, as was intended, the walls cannot be dry enough to make it safe to place them there. They will require the drying of a whole summer before the building can be occupied as a library.

A list of donations to the library is subjoined. It will be seen that the number is increasing, but still far less, I presume, than may reasonably be expected when the library edifice shall be opened, and the influence of a fine array of books be felt upon the community.

Respectfully submitted,

JOSEPH G. COGSWELL,

Superintendent of the Astor Library.

New-York, Jan. 29, 1852.

DONATIONS

To the Astor Library, during the year 1851.

Catalogue of the Mercantile Library in New-York, 8vo.

By the Mercantile Library Association.

Astronomical observations, vol. 2, 1851, 4to.

By the National Observatory, Washington.

History of the Indian tribes of the United States, p. 1, 1851, 4to.

By L. Lea, Commissioner of Indian affairs.

Annual report of the Regents of the University, for 1851, 8vo.

By the Regents of the University.

Documentary history of New-York, vol. 3, 1850.

By the Regents of the University.

Smithsonian contributions to knowledge, vol. 11, 4to. 1851.

By the Smithsonian Institute.

Ticknor's history of Spanish Literature, eng. ed., 3 vol. 8vo.

By George Ticknor, esquire.

Catalogue of maps and surveys in the public offices at Albany v. 1, 8vo.

By A. G. Johnson, deputy Sec'y. of State.

Binney's terrestrial mollusks and shells of the United State 2 vol. 8vo.

A. A. Gould and D. H. Storer.

A history of the Massachusetts general Hospital.

By N. A. Bowditch.

Mac Gregor's commercial tariffs and regulations, 4 vol. 4to.

Report of the officers of the railway department in G. Britain, Fol.

Finance accounts of Great Britain for 1844, Fol.

Compte générale de l'administration de justice, 1833, 4to.

Tableau des marchandizes &c., Tarif générale, 1835, 4to.

Enquête relative á diverses prohibitions des produits, 3 vol. 4to.

Propositions de lois de dépenses et recettes, 2 vol. 4to.

Recueil de documents statistiques, tom 1. 1837, 4to.

Administration générale des ponts et chaussées, 14 vol. 4to.

Résumé statistique de l'administration des mines, 13 vol. 4to.

Compte rendu des travaux, 1837 et 1839, 2 v. 4to.

Recueil de lois des finances, 10 vols. 8vo.

Ravinet, code des ponts et chaussées, 1666, 1828, 3 vols. 8vo.

D'Aubuisson, Traité hydraulique, 8vo.

Cerclet, Code des chemins de fer, 8vo.

Genieys' recueil des tables a l'usage des ingénieurs, 8vo.

Navier, résumé des leçons sur la mécanique, 8vo.

Tupinier, rapport sur le matériel de la marine, 8vo.

Annuaire de l'économie politique, 1844-7, 4 vols. 12vo.

Perronet, description des ponts de Neuilly avec atlas, Fol.

Bondelet, de l'art de bâtir, 5 vols. 4to., avec atlas en folio.

Flachat, histoire du canal Caledonien, 4to.

Minard, leçons sur les chemins de fer, 4to.

Bruyères, études relatives a l'art des constructions, Fol.

D'Angeville, essai sur la statistique de la population Française, 4to.

Navier, rapport et mémoire sur les ponts suspendus, 4to. et Fol.

Vicat, description du pont suspendu à Argental 4to.

Belidor, architecture hydraulique, 4to.

Brisson, essai sur la navigation intérieure de la France, 4to.

Genieys, sur les moyens de conduire les eaux, avec atlas 2 v. 4to.

Wood, traité pratique des chemins de fer, 2 vols. 4to.

Ecole royale des ponts et chaussées, cours des professeurs lithographiés
7 vol. Fol.

Documents statistiques sur la France, 4to.

Archives, statistiques des travaux publics, 4to.

Statistique de France, 1837-9, 3 vols. 4to.

Tableau décennal du commerce de la France, 2 vols. 4to.

Tableau générale du commerce de la France, 5 vols. 4to.

Tableau des mouvements du Cabotage, 4to.

Annales des travaux publics de Belgique, 3 vols. 8vo.

De Rive, canaux et rivières de la Belgique et de la France, 8vo.

Canalization de l'Escaut et de la Lys, fol.

Péage des routes, 1837-8, fol.

Rapport du Ministre Belge de travaux publics, fol.

La navigation de la Belgique vers Paris, fol.

La Meuse, 5 vols. in 4, fol.

Rapport sur le chemin de fer Belge, 9 vols. fol.

Travaux publics en Belgique, 1830-39, 8vo.

Simons et de Ridder, le chemin de fer Belge, 8vo.
 Canal de Charleroi, fol.
 Voies navigables en Belgique, fol.
 Chemin de fer, Sambre et Neuse, 4 vols. fol.
 Defrichement des Bruyeres de la Campine, fol.
 Rapport sur la chemin de fer de Geneve, 4to.
 Rapport du Prefet de la Seine, 1846, 4to.
 Strada ferrata Leopolda da Firenze a Livorno, 8vo.
 Von Reden, die Eisenbahnen Deutschlands, 8vo.
 Von Reden Handels und Gewerbs Geographie, 8vo.
 Becher die Ergebnisse des Handels, 8vo.
 Kalendar für den Berg und Hatten Mann, 8vo.
 Von Herder der tiefe Meissner Erbstolln, 8vo.
 Baeyer nivellement Zwischen Swinemünde u. Berlin, 8vo.
 Watterson and Van Zandts statistical tables, 4to.
 Census of pensioners of the United States, 1841, 4to.
 Huerne de Pommeuse, des canaux navigables, 2 v. 4to.
 Tarbé de Vauxcairs, Dictionnaire des travaux publics, 4to.
 In all, 152 vols., by Samuel B. Ruggles, esq.

Congressional Globe and Appendix for 1850-51.

Patent Office Report for 1850-51.

By Hon. J. G. King.

Patent Office Report—Mechanical, for 1850-51.

By T. Ewbank, esq.

Halliwell, Mss. rarities of Cambridge.

By J. O. Halliwell, esq.

Rotulorum Originalium Abbreviatio. 2 vols. fol.
 Rotuli literarum clausarum et patentium. 3 vols. fol.
 Placitorum Abbreviatio temp. Richardi I. fol.
 Monumenta Historiæ Britannicæ. fol.
 Ancient Laws of England and of Wales. 2 vols. fol.
 Rotuli Chartarum in turri Londini. fol.
 Registrum &c., or Records of Cænarvon. fol.
 Documents on English History, 13th and 14th centuries. fol.
 Reports of Record Commissioners. fol.
 Notes for history of the public departments. fol.
 Kalendars and Inventories of the Exchequer. 3 vols. fol.
 Rotuli Curie Regis. 2 vols. 8vo.
 Rotuli de Oblatis et finibus. 8vo.
 Rotuli Normanniæ. 8 vo.

Excerpta e Rotulis finium. 2 vols. 8vo.

Fines sive pedes finium. 2 vols. 8 vo.

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Great Rolls of the Pipe. 8vo.

Introduction to Valor Ecclesiasticus. 8vo.

Modus tenendi parliamentum. 8vo.

Issues of the Exchequer. 3 vols. 8vo.

In all 34 volumes, by the Record Commission of Great Britain.

Museo Campagna. Antiche Opere in Plastica. 2 vols. fol.

By the Marquis Campàna, of Rome.

Dissertazione intorno ad un sepolcro dissotterato nella vigna del conte Lozano Argote. 4to.

By the Chevalier L. Grefi, of Rome.

Notes on the Cathedral Libraries of England.

By W. Botfield, Esquire.

Bossange. Catalogue des livres, avec trois suppléments. 4 vols. 8vo.

By Mons. H. Bossange, of Paris.

Catalogue of the Manchester Free Library. 4to.

By E. Edwards, of Manchester.

Phipp's Original and Present State of Man, from Washington's Library, with Washington's autograph.

By H. Stevens, of London.

Bibliographie Voltarienne. 8vo.

Notices bibliographique des ouvrages de M. de la Mennais. 8vo.

Omissions et Bevues du Livre intitule La Litterature Francaise contemporaine. 8vo.

By Mons. Querard, of Paris.

Pickering's Races of Man, to which is prefixed an analytical synopsis of the natural history of man, by John C. Hall.

By Henry G. Bohn, of London.

The Itinerary of Benjamin, Rabbi of Tudela, translated and edited by A. Asher.

Bibliographical Essay on the Scriptores rerum Germanicarum, by A. Asher.

By A. Asher, of Berlin.

Tabeller over Kongeriget Danmark's uitgivet af den anordnede Commission, 1835-'49 19 vols. fol.

Statistisches Tabellen Werk über Schleswig und Holstein. 2 vols. fol.

Statistik Tabelvaerk, ny Raekke, 4to., 1850.

Den nye Matricul foe jordesendomme i Danmark, 1844. fol.

Statistik Tabelvaerk uigivet af Finants Ministeriel. 1848. fol.

In all 27 volumes, by the Danish Government.

Morning Star, Vol. III., in the Tamil language. 4to.

Knight & Spaulding's English and Tamil Dictionary. 8vo.

Rhenius' Grammar of the Tamil language. 8vo.

The same abridged. 18 mo.

Hymn Book in the Tamil language. 8vo.

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Hebrew Bible. 2 vols. 4to.

In all 50 volumes by the American Board of Commissioners for Foreign Missions.

STATEMENT

*Of the condition of the funds and property of the trustees of the
Astor Library, December 31, 1851.*

DR.

The endowment for the building,-----	\$75,000 00	
For establishing the library,-----	120,000 00	
For maintaining and increasing, -----	205,000 00	
	<hr/>	\$400,000 00
Donation by Dr. Cogswell,-----		1,029 90
Premium account balance, being gain on the stocks taken in payment of instalment,-----		1,976 37
Balance of interest account,-----		8,165 55
		<hr/>
		<u>\$411,171 82</u>

CR.

Balance legacy not yet due in the hands of Mr. As- tor's executors, -----	\$133,333 34	
Stock of U. S. loan, 1847, -----	14,000 00	
Books at cost,-----	\$36,008 17	
Amount for purchase of books expend- ed in Europe by superintendent,-----	26,554 09	
	<hr/>	62,562 26
Real estate site,-----	\$25,000 00	
Payments on building,-----	50,000 00	
Advance to builders on bond,-----	15,000 00	
Glass for roof, additional,-----	3,930 87	
	<hr/>	93,930 87
Bonds and mortgages, New-York, Albany and Brook- lyn, -----	100,000 00	
Shelving for books, on account, -----	2,000 00	
Contingent expenses,-----	3,465 55	
Baring, Brothers & Co., bankers in London, balance in hand, £11, 7s, 6d, say -----	57 83	
Cash in National bank,-----	1,821 97	
	<hr/>	<u>\$411,171 82</u>

The income of the amount of the price of the site not having yet been accepted by the devisees, except by Mrs. DeNottbeck, is invested in bonds and mortgages; so far as securities have presented themselves and remains in charge of the executors of Mr. Astor, and with its accumulations, now amounts, with the ca-

pital, to the sum of -----	\$28,862 93 .
Invested in bonds and mortgages,-----	\$25,834 66
Deposited in Trust company,-----	2,171 34
Cash in executors' hands,-----	856 93

\$28,862 93

DANIEL LORD, *Treasurer.*

E. E.—*January 28th, 1852.*

STATEMENT

Of receipts and expenditures of the trustees of the Astor Library in 1851.

Receipts :

January. Cash from 1850, -----	\$1,661 23
23. Interest, -----	280 00
February. " -----	542 50
March. New-York Life and Trust Co.,	
deposit drawn, -----	\$2,873 05
Interest, \$21.26, -----	24 26
U. S. stock sold, \$10,500, --	10,500 00
Premium and interest, -----	1,653 75
	<hr/> 15,051 06
April. Interest, -----	210 00
May. U. S. stock sold, \$3,000,-----	\$3,000 00
Premium and interest, \$517.50,-	517 50
U. S. stock sold, \$1,000, princi-	
pal and interest, \$188.75,---	1,188 75
Interest, \$300, \$325, -----	625 00
	<hr/> 5,331 25
June. Interest, \$300, \$596, \$435,-----	1,331 00
July. Interest (on \$13,500 U. S. stock)	\$1,305 00
U. S. stock sold, \$2,500, pre-	
mium and interest, \$409.38,-	2,909 38
	<hr/> 4,214 38

August.	Interest, \$525, \$280, \$184.50,	\$989 50	
	U. S. stock sold, \$8,000, pre- mium and interest, \$1,140,	9,140 00	
			10,129 50
September.	U. S. stock sold, \$4,000, premium and interest, \$762.50, -----		5,762 50
October.	U. S. stock sold, \$2,000, pre- mium and interest, \$320,	\$2,320 00	
	U. S. stock sold, \$3,500, pre- mium and interest, \$533.75,	4,033 75	
	Interest, -----	210 00	
			6,563 75
November.	U. S. stock sold, \$4,500, pre. and int., \$753.75,	5,253 75	
	Interest, -----	300 00	
December.	Int., \$630, \$435, \$325, \$300,	1,690 00	
	" on \$18,000 U. S. stock, \$540, -----	540 00	
	U. S. stock sold, \$4,000 premium, \$650, -----	4,650 00	
			12,433 75
			<u>\$63,510 92</u>

(The interest on the bonds and mortgages is fully paid up.)

Expenditures.

Jan.	Books,	\$12 96	
	Freight, -----	4 80	
	Wages, -----	25 00	
			\$42 76
Feb.	Books, \$407.20, \$305.26, -----	\$712 46	
	Rent, \$275, salary sup't., \$625,	900 00	
	Wages, \$25, -----	25 00	
			1,637 46
Mar.	Builders, on contract, -----		15,000 00
Apr.	Wages, 2 months, \$50, postages, \$0.40, -----		50 40
May.	Rent, \$275, pre. fire ins, \$75,-	\$350 00	
	Baring, Brothers & Co., (\$3,445 50, \$1,968.89,) -----	5,419 39	
			5,764 39
June.	Baring, Brothers & Co., -----		1,230 56

July.	Salary architect \$300, wages \$50, Baring, Brothers & Co.,-----	350 00 \$4,174 45	
		<hr/>	4,524 45
Aug.	Rent \$275, fire ins. \$50, croton water \$14,----- Builders, on contract,-----	\$339 00 10,000 00	
		<hr/>	10,339 00
Sept.	Wages \$50, (2 months,)----- Baring, Bro. & Co.,-----	\$50 00 5,647 78	
		<hr/>	5,697 78
Oct.	Shelving for books in building,- Wages, 2 months, \$50,----- Glass for roofing, extra,-----	2,000 00 50 00 3,930 87	
		<hr/>	5,980 87
Nov.	Rent \$275,-----		275 00
Dec.	Baring, Bro. & Co., (\$6,138.88, \$4,686.55,)----- Wages \$50, insurance \$270.85,	\$10,825 43 320 85	
		<hr/>	11,146 28
			<hr/>
			\$61,688 95
	Balance cash in bank,-----		1,821 97
			<hr/>
			\$63,510 92
			<hr/> <hr/>

DANIEL LORD, *Treasurer.*

State of New-York.

No. 21.

IN SENATE, FEB. 3, 1852.

REPORT

Of Committee on Claims, on the petition of Asa D. Wood and others.

Mr. Williams, from the committee on claims, to which was referred the petition of Asa D. Wood, Ambrose Clark, and Wm. H. Douglass,

REPORTS:

That the petitioners represent “that on the 14th day of July, 1848, they entered into contract with the Canal Commissioners for the construction of the Ohio basin, located in the city of Buffalo, and agreed to complete the same in all respects by the 1st day of Sept., 1849.” That their contract contains a provision in the words following:

“And to provide for the speedy and just settlement of this contract, it is hereby further mutually agreed, that the resident engineer for the time being in the employ of the Canal Commissioners on the work herein contracted for, shall in all cases determine the amount or quality of the several kinds of work which are to be paid for under this contract, and the amount of compensation to be paid therefor, and shall within twenty days after the work shall in all respects have been completed according to the terms and conditions of this contract, present an account of the same to the Canal Commissioners, and in case either of the parties to this contract shall be of the opinion that the final account, when made and presented as

above, shall in any respect be incorrect, or that it is unjust to either of the parties concerned, having reference to the terms and conditions of this contract, the Canal Commissioners may, in their discretion, select the chief engineer, or any other disinterested person, and the aforesaid contractors shall select any discreet freeholder residing in the county where the work embraced in this contract is located, and who shall have no interest direct or indirect, in the matters submitted to him for decision, and the two thus chosen shall select another of like qualifications as the person last mentioned; and the persons so selected shall investigate the matters complained of, and determine all questions that may arise relating to compensation for work done under this contract. And their decision in relation thereto shall be based on the terms, agreements, and conditions of this contract, and when so made shall be binding, as well on the part of the Canal Commissioners as the aforesaid contractors, and shall in all respects be final and conclusive."

The petitioners further state that they entered upon the performance of their contract with the full belief that the aforesaid provision would be fully regarded by the Canal Commissioners; and that they completed the work to the satisfaction of said Commissioners. That when the final estimate was made by the engineers and presented to the Commissioners, the petitioners were of opinion that such final account was in many respects incorrect, and that they were not allowed as much for work done as they were justly entitled to under their contract, and thereupon requested the Canal Commissioners to comply with said provision in their contract by selecting persons to investigate and determine the matters complained of.

It is alleged by said petitioners that their request was not complied with and for reasons which appear in the following certificate:

Asa D. Wood & Co. applied to the Canal Commissioners for an arbitration, in pursuance of a provision in their contract for the construction of the Ohio basin, located in the city of Buffalo. Judge Gridley having decided in the case of Johnson & Butler, that that provision in contracts was unauthorized and illegal, the Canal Commissioners have since that decision declined all applications to arbitrate under it.

FREDERICK FOLLETT,
Canal Commissioner.

Albany, 28th January, 1852.

The aforesaid provisions for submitting the matters of difference to arbitration was evidently inserted in said contract, under a misapprehension of sec. 11 of chapter 278, of the Laws of 1847, which section the supreme court has since decided was intended solely to provide for the settlement of claims arising under the particular class of contracts contemplated by the act itself, as appears by the opinion of Judge Gridley, in the case of Johnson and Butler, above referred to. It also appears by Assembly documents No. 101 of 1850, No. 24 of 1851, and chapter 269 Session Laws of 1851, that relief was granted in that case ; and by Assembly documents No. 115, and chapter 440, Laws of 1851, that relief was granted in a similar case to Dean S. Howard ; also by Assembly document No. 80 of 1851, it appears that this case was considered, favorably reported, and a bill passed the Assembly for relief, which bill was sent to the Senate where it remained without further consideration, until taken from the files and referred to your committee.

Your committee are of opinion that the contract referred to in this case, was made in good faith both on the part of the Commissioners and contractors, and that it was the intention of both parties, strictly to abide its provisions, and although it may be conceded that so much of the contract as provides for settlement of the same by arbitration was unauthorized by law, yet it appears that when the contract was made it was not so understood by either party ; equity and good faith on the part of the State, therefore, seem to demand, that a law be passed for the settlement of said contract in accordance with its original provisions.

Your committee therefore, respectfully ask leave to introduce a bill for the relief of the petitioners.

State of New-York.

No. 22.

IN SENATE, JAN. 31, 1852.

REPORT

Of Committee on Claims on the petition of Alexander McGhee for relief.

Mr. Jones from the committee on claims, to which was referred the petition of Alexander McGhee praying for a law requiring the canal appraisers to assess his canal damages respectfully

REPORTS :

That they have examined the said petition and find the claim presented to be that of compensation for land taken and appropriated by the State for the construction of the Champlain canal; that all the land included within the blue line on the map of the canal, embracing the length of his lot in the village of Whitehall, is claimed by the State, for which neither his grantor nor himself has received compensation; that a part of his store stood on the land taken; that the State during the year past, for the first time, entered upon and used this land. Petitioner affirms that he was ignorant of said map, and was also ignorant of the law prescribing the limit of time within which application for this kind of damage is to be presented, until the Canal Appraisers refused to consider his claim on the ground that it had not been made in time, and he now asks that a law be passed requiring the said Appraisers to hear and adjudicate his case.

The law of 1828 wisely limited the time in which this class of claims should be presented for hearing and settlement, and in default of presentation, as the act provides, either from ignorance, forgetfulness, or other cause, the claim was to be deemed and taken as waived, and the State thereafter released from payment, and the land thus appropriated to vest in the people. Such a law was imperiously demanded to protect the State against future capricious claims arising from increased value of land taken, from rival interests, or offended claimants.

That portion of the Champlain canal extending to Whitehall was completed in 1828, and a map of the same clearly delineating all lands taken of each proprietor plainly drawn thereon, which was filed in the office of the Comptroller according to existing law. The petitioner or his grantor, therefore, had the same facilities for knowing his rights and securing them as his numerous neighbors, who did apply for their appraisements at that distant period. And it is quite possible that the petitioner may now be as ignorant of the motive and design of his grantor as he himself has been of his own legal remedies, or the quantity of his land which was appropriated for the canal.

From any thing that appears in this case, your committee cannot know but that the grantor of petitioner intended to give his land upon some condition or provision as to establishing the line of said canal through the village, as it is an historic fact that the Canal Commissioners differed at the time as to its entering the lake on the westerly or easterly side of the same, and that proprietors of lots evinced great interest in regard to their final decision of that question. Be that as it may, it does not appear proper to the committee to open a case of an alleged claim, resting on a foundation so uncertain and equivocal, after a lapse of a quarter of a century, and they therefore respectfully submit for the concurrence of the Senate the following resolution:

That the relief asked by the petitioner be denied.

NATHANIEL JONES.

State of New-York.

No. 23.

IN SENATE, FEB. 5, 1852.

REPORT

Of the Auditor of the Canal Department, in answer to a resolution of the Senate enquiring as to extra allowances made by the Canal Board on contracts, and the allowances for breaches of contracts, &c.

**CANAL DEPARTMENT, }
Albany, Feb. 4, 1852. }**

The Auditor of the Canal Department, in obedience to a resolution of the Senate of the 22d January, in the following words:

“ Resolved, That the Auditor of the Canal Department be requested to prepare and report at as early a day as practicable, a summary of the Digest of Claims presented to the Senate March 12th, 1851, giving the entire amount of the extra allowances on contracts, of additional allowances for damages on appeal, of amount remitted on penalties, and of allowances for breach of contracts; and that he also furnish a similar summary of all such allowances, from the said 12th day of March, 1851, to the 15th day of January instant,”

REPORTS:

That the digest referred to in the resolution contains an alphabetical list of all the claims presented to the Canal Board, from its organization in 1826, up to the 1st of March, 1851, specifying the nature of the claim in each case, and the decision of the board thereon. In addition to the said list, I annex (Statement A,) a continuation, in a similar form, down to the 15th ultimo.

A general summary of the several heads of allowances, such as is required by the resolution of the Senate, is as follows:

Extra allowances on contract,-----	\$860,041 49
Additional allowances for damages on appeal from the Canal Appraisers, and other allowances,-----	61,874 82
Allowances for breach of contract,-----	514,484 19
Penalties for breach of canal laws, remitted,-----	2,114 14

Total allowances by Canal Board, except to canal officers for extra services,-----	<u>\$1,438,514 64</u>
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The first sum of \$860,041.49, is for allowances made under the following provisions of the statute: (Laws of 1826, p. 363, sec. 83.)

“The Canal Board may make such an extra allowance as they may judge reasonable, to any contractor for work performed, or to be performed on the canal, and direct the same to be paid by the Canal Commissioners, or by the Commissioners of the Canal Fund.

“Such extra allowance shall not be made for, or include losses resulting to the contractor, from the unfavorable terms of his contract, but shall be confined to an indemnity for extra expenses and labor in constructing the work contracted for, occasioned either by new directions given by a Canal Commissioner, engineer, or superintendent of repairs, after the making of the contract or where, in consequence of the work proving to be of a different character or description than it was contemplated to be by the Commissioners or engineer at the time of the making of the contract.”

Of the second amount \$61,874.82, the sum of \$37,555.63 is for additional allowances made by the Canal Board on appeals from the decisions of the Canal Appraisers, under sec. 3, of chap. 368, of the Laws of 1829, in the following words:

“Every person having exhibited a claim for damages to the Appraisers, or the Canal Commissioners, where they shall deem the interests of the State to require it, may enter an appeal from the decision of the appraisers on such claim, to the Canal Board, who shall proceed to reverse, affirm, or modify the appraisement, as in their opinion justice shall require; and their decision shall, in all cases, be final and conclusive.”

The residue, 24,319.19, is for miscellaneous allowances, other than on appeals, under various acts, the character of which will appear from the Digest of Claims referred to in the resolution, and the accompanying continuation of it.

The third sum, \$514,484.19, for allowances for breach of contract, grew out of the suspension of the Erie canal enlargement, and the Genesee Valley and Black river canals, in 1842, under act, chap. 219, of 1843, and comprises the whole of such allowances for breach of contracts. (Sec. 1, of chap. 219, Laws of 1843.)

“The Canal Board is hereby authorised and required, on the application in writing, of any contractor or contractors, whose job or work was suspended, in compliance with the direction of the Canal Commissioners, or any one of them, under the 10th section of the act entitled “An Act to provide for paying the debt and preserving the credit of the State,” passed March 29, 1842, or whose contract has been otherwise broken or violated on the part of the State, to hear, investigate and settle, upon just and equitable principles, all claims which such contractor or contractors may have for damages occasioned by such suspension of work, and the non-fulfilment or breach of the contract or contracts, on the part of the State.”

The fourth sum, \$2,114.14, is for penalties, remitted by the Canal Board, for the violation of canal laws.

All which is respectfully submitted,

G. W. NEWELL,
Auditor.

A DIGEST

Of the claims which have been presented to the Canal Board, specifying the nature of the case, and the decision thereon, from the 1st of March, 1851, to the 16th of January, 1852, as previously arranged.

NAMES OF CLAIMANTS.	Canal.	Nature of the claim.	Date of.	Extra allow- ances on contracts.	Admitt'd allow. for dam's on appeal, &c.	Amount re- mitted on penalties.	Allowances for breach of contract.
Baldwin, William.....	Genesee Valley,.....	Bridges on sections 52 to 56,.....	1851, June 19,.....	.....	.....	.....	\$226 83
.....	Chemung,.....	Sections 1, 2 and 3, extension,.....	do 23,.....	\$3,500 00	.....	.....	.....
.....	E. C. Enlarg'mt.,.....	Section 5, mountain ridge,.....	April 12,.....	.....	.....	.....	3,227 09
.....	Chemung,.....	Locks 8 and 52,.....	March 12,.....	100 00	.....	.....	.....
David, Levi,.....	.....	Penalty,.....	Nov. 12,.....	.....	.....	\$10 00	.....
Denton, Cromwell & Baldwin,.....	Black River,.....	Section 5,.....	March 18,.....	.....	.....	.....	139 02
Elwood & Raaback,.....	E. C. Enlarg'mt.,.....	95,.....	June 17,.....	884 00	.....	.....	.....
Fraser, Foster & Co.,.....	do	123 and 124,.....	do 23,.....	1,572 00	.....	.....	.....
Granger & Todd,.....	Genesee Valley,.....	12, 14, and 15,.....	April 8,.....	2,621 00	.....	.....	.....
Kennedy, M.,.....	.....	Penalty,.....	1852, Jan'y 2,.....	.....	.....	25 00	.....
Lanning, Abraham Y.,.....	E. C. Enlarg'mt.,.....	Lock 28 and section work,.....	1851, June 23,.....	3,761 00	.....	.....	.....
Marcellis & Vandebogert,.....	do	Culvert:.....	April 15,.....	54 69	.....	.....	.....
McCoughlin, John,.....	do	Upper 1c.....	Oct. 18,.....	4,201 24	.....	.....	.....
Miller, Maria,.....	do	Appropriation land for W. lock Utica, &c.,.....	July 28,.....	.....	\$7,500 00	.....	.....
Nelson, Wm. J. & Co.,.....	Genesee Valley,.....	Sections 99, 102, 103 and 105,.....	June 23,.....	.....	.....	.....	2,000 50
Rickey, M.,.....	Chemung,.....	Repairs of bridge,.....	Nov. 12,.....	40 00	.....	.....	.....
Rogers, Patrick,†.....	E. C. Enlarg'mt.,.....	Section 28½,.....	do 28,.....	3,135 85	.....	.....	.....
do.....	do	do.....	Dec. 12,.....	1,222 45	.....	.....	.....
Schuyler & Gay,.....	Black River,.....	Lock 11,.....	June 17,.....	113 28	.....	.....	.....
Spooenbergh, Wm.,.....	do	Locks 58, 59 and 60,.....	do 20,.....	1,048 00	.....	.....	.....
Stroup, John,.....	E. C. Enlarg'mt.,.....	Lock 3, east of Rochester,.....	do 23,.....	3,615 00	.....	.....	.....
Treat & Cromwell,.....	Chemung,.....	Locks 6 and 7,.....	March 12,.....	100 00	.....	.....	.....
Walrath, L. & A. J.,.....	Genesee Valley,.....	Section 101,.....	do 21,.....	.....	.....	.....	950 00
Wheeler & Judd,.....	do	Waste weirs on sections 83 and 107,.....	do 21,.....	.....	.....	.....	250 00
		Totals,.....	.....	\$25,968 51	7,500 00	\$35 00	\$6,883 40
		Totals from digest of March 12, 1851,.....	.....	836,073 98	54,374 82	2,079 14	507,600 79
		Total allowances to 15th Jan. 1852,.....	.....	\$860,041 49	\$61,874 82	\$2,114 14	\$514,484 19

* Chap. 363, Laws of 1848. † Chap. 222, Laws of 1851.

State of New-York.

No. 24.

IN SENATE, FEB. 4, 1852.

REPORT

Of the Committee on Judiciary on the petition of Julius Frederick Heilman Miller to change his name.

Mr. Vanderbilt, from the judiciary committee on Assembly bill, to change the name of Julius Frederick Heilman Miller, submits the following

REPORT :

Prior to 1847 the Legislature of this State were flooded with applications to change the names of persons. Some of these it is true were meritorious, and a change might have been productive of good to the petitioners. But by far the larger part were merely the result of whim, of pride or caprice of the applicant. It was deemed best, at the time above alluded to, to discharge these applications, and the result was a passage of a law in this year.

By chapter 464, of the Laws of 1847, a very speedy relief was afforded, to those of full age, residing in any county of this State, who might desire a change of name by application to the county judge, or a justice of the supreme court. This act, brought to the door of every individual, whether he possessed an unfortunate name or not, a very easy remedy, and the only burden imposed on the petitioner under this act was, that he should show "*that he would derive a pecuniary benefit by assuming another name.*" From the number of the applications still presented to the Legislature, it would seem that the petitioners entertain the belief that the Legislature still intended to retain to themselves, the right to sit in solemn judgment on these

cases, when there was no meritorious claim, and to amuse themselves by an inquiry in such, as would exhibit the caprice or the weakness of such of the citizens of this State as might fancy a change of name.

It is not to be supposed that the Legislature could have had any such intention, but that their object was solely to discountenance their applications.

The petitioner in the present case, Julius Frederick Heilman Miller, proposes to discard his last name and to assume that of Heilman. It does not appear affirmatively from the petition, that he is over age, but from the fact that he is a man engaged in mercantile business for several years, we can assume that he has attained majority, and from aught that appears in the petition, he may be "far advanced in age." The only reason urged for the change of name is, that "Miller" is a very common name in the county in which he lives, and that there are other persons in that county whose christian names begin with a "J," and in two cases begin with a "J. F.;" that his letters and communications are apt to be opened by other persons, or to be miscarried, or to be delayed, and in some cases he alleges he has *very nearly* suffered damage.

None of the reasons are satisfactory. "Miller" is a name much less troublesome to bear than many others which occur to the mind of the committee, and *names* much less desirable are attached to many of our most excellent citizens, deeply engaged in professional and mechanical pursuits, to all of whom the reasons of the petitioner would apply.

To persons under age having expectations of property, the Legislature cheerfully lend their aid. If the present or similar applications are tolerated, we shall not only find other and more important legislation retarded by an influx of petitions of this kind, but the wise and wholesome provisions of the laws of 1847 entirely disregarded.

Their only desire is to express their disapprobation of the practice of applying to the Legislature on the most frivolous pretexts, or without sound reasons. But in reference to the act now under consideration, they propose the following resolution:

Resolved, That the act now before the Senate to change the name of Julius F. H. Miller, be not enacted into a law,

State of New-York.

No. 25.

IN SENATE, JAN. 30, 1852.

REPORT

Of the Committee on Claims on the Petition of Lemuel French and others, for relief.

Mr. Jones, from the committee on claims, to which was referred the petition of Lemuel French, David French, John Shirley and William Pilmore, asking the passage of a law directing the Canal Appraisers to examine their claims,

REPORTS :

That the committee have had the said petition under consideration and have examined the same and find it alleged by the petitioners, that on the 15th day of February 1851, the stream called Willis' Brook, in the town of Western, was, by reason of a severe rain, swollen to an uncommon height, bringing down masses of ice, lodging against the aqueduct constructed for carrying the Black river canal over said brook, the lodgment of the ice causing the water to overflow the premises of petitioners, by which they were greatly damaged in destruction of fences and fruit trees, destruction of provisions in their cellars, and greatly injuring one of the petitioner's saw and pegg mills ; it is further alleged that one of the petitioners lost a considerable quantity of hay, his barn being submerged in water, three or four feet in depth ; that the sudden rise of said stream obliged some to take refuge in the

trees, and others to flee to neighbors residing on higher land. The petition also affirms that these alleged damages have ensued entirely from the construction of the said aqueduct by the State, and as their buildings were erected previous to its construction, and are depreciated in value in consequence of that structure, they claim an appraisement of damages, by a law directing the same to be made by the Canal Appraisers.

It may be proper for the committee to state that the allegations set forth in this petition are certified to be correct and true by a large number of residents of the town of Western.

From these statements and representations of the petitioners, your committee are not satisfied the petitioners are entitled to the relief asked of the Legislature; doubting as they do the existence of any liability on the part of the State to respond to damages of this character. The alleged damages occurred by a freshet, not uncommon in that season of the year, and during a suspension of canal navigation, and consequently no agent of the State being in special charge of the canal and its structures at the time. Nor do the petitioners charge that they have sustained damages resulting from neglect or delinquency of any agent of the State but by reason of the construction of the said aqueduct over Willis' brook.

Assuming the principle, even, that the State is alike held liable with an individual, your committee do not believe he would be responsible for damages of the nature set forth in the petition, being occasioned by a flood, not unusual in any portion of the State.

Your committee therefore come to a conclusion unfavorable to the prayer of the petitioners and respectfully submit the following resolution for the adoption of the Senate.

Resolved, That the prayers of the several petitioners be denied.

NATHANIEL JONES,
ELISHA WARD.

State of New-York.

No. 26.

IN SENATE, FEB. 7, 1852.

REPORT

Of the select committee on excise, in relation to the petitions to prohibit the traffic in intoxicating liquors.

Mr. Munroe, from the select committee on excise, to which were referred the numerous petitions in favor of a law prohibiting the traffic in intoxicating liquors

REPORTS:

That after giving the subject that deliberate consideration which its great importance demanded, they have come to the conclusion that our present excise laws should give place to new enactments of a more stringent nature. Among the considerations which have weight with your committee in recommending this change is the fact that the present system has no adequate basis in the intelligent and serious belief of the people. The laws which regulate the traffic in stimulating drinks were framed at a time when that traffic was, by all parties, deemed essential to the health and comfort of society. Hospitality, domestic economy, and social intercourse, required the use of them in numerous forms and ways. A very great demand for them was thus created, and the business of supplying that demand was regarded as morally unexceptionable. It cast no stain, in that condition of the public mind, upon even the purest reputation to minister to wants so universal and so legitimate; though as

the traffic was felt to be liable to many abuses, it was deemed important to surround the vender with the numerous restrictions which constitute, at present, our system of excise.

Now, however, the current of public opinion sets with its whole force in the contrary direction. The customary use of such beverages is, on all sides, renounced and censured. Medical authorities declare them generally pernicious; and this view has received the sanction of the great body of intelligent physicians. The clerical profession is united in stigmatizing the indulgence as fraught universally with danger, as productive, in numerous instances, of ruin, to those priceless moral interests on which the prosperity of society rests. Our police authorities trace to this source, without any hesitation, the mass of those minor offences which habitually disturb the peace of society. Pauperism and disease are conceded to be among the most common results of intemperance; and our judges attribute a frightful agency in multiplying crime to the use of intoxicating liquors.

In every class of our community the conviction has long been growing, that social interests of the highest value are habitually prejudiced by this traffic; and the public conscience has become so thoroughly roused, that no conscientious and benevolent man can any longer have any thing to do with the arrangements by which so unnatural and unprofitable an appetite is to be gratified. Multitudes of all ages and of both sexes have formally and forever renounced the indulgence; and the beverages once so universally esteemed, have, by common consent been banished from the hospitable board, from the social circle, and even from the workshop and the harvest field. No class of men to-day puts in any argument to show the usefulness, or desirableness of the consumption which we are now asked to suppress.

This general and radical change of sentiment is a fact of unparalleled interest, and surely calls for some notice at our hands. Its extent and depth are certified to us by the undoubted voice of the people themselves. A greater number of respectable petitioners have united in this request than have ever before presented their names to the Legislature in behalf of any measure whatever. Their request has seemed to your committee worthy of very serious consideration. If laws must find their support and their vindication in the enlightened judgment of the people, how is it possible to prolong a system which is so destitute as the present of all such support? A system

against which all who lead, and all who form the public opinion of the State, have so long, so earnestly, and with such increasing influence, remonstrated ? If it is the sacred duty of the Legislature to enact into laws the best judgments of the public mind upon those questions of trade that bear upon social interests, how can we refuse to grant petitions supported by authorities so mighty, and suffrages so numerous ? Especially how can this be done, in the utter absence of any argument which can awaken even a serious doubt of the substantial justice, humanity, policy and wisdom of judicious prohibitory enactments.

Nor is this state of public feeling confined to our borders ; the same change has pervaded our land very extensively, and is every where demanding and achieving, the introduction of a system similar to that which we are requested to enact. In some of our sister States, as in Wisconsin, whatever sanction the traffic has heretofore derived from licenses, is now withheld ; and the vender is held responsible for whatever damage may be perpetrated, by parties to whom he has furnished the means of intoxication. After repeated attempts, Massachusetts has entirely prohibited the traffic, through the agency of county commissioners. In some counties of that state this prohibition has been in actual operation since 1837, with most cheering results ; and the steady progress of public opinion has at length extended the prohibition to every county of that intelligent State. Ohio has absolutely prohibited the sale of stimulating drinks in small quantities, for consumption on the premises where it is sold. Iowa has declared every drinking shop a common nuisance ; and the recent legislation of Vermont is absolutely prohibitory of the traffic in such beverages, under severe penalties. The Legislature of Maine has introduced yet a different principle into its legislation, and in addition to fine and imprisonment for the violation of its prohibitions, it confiscates these stimulating liquors wherever they are presumptively held for public consumption. The concurrence of so many independent systems of legislation, in the establishment of prohibitory laws, attests the depth and reality of that change of public sentiment to which reference has been made ; and demonstrates that in granting the prayer of the petitioners for a law similar to that last mentioned we shall not incur the danger of yielding to any local, any sectional, any transient, impulse.

This general demand among our sister States, and the universality and urgency of the request among the humane citizens of our own State, render the policy and even the duty of changing our present

system of excise, in the view of your committee, unquestionable. The next inquiry must consequently be for the most simple and efficient system of provisions which can legitimately be enacted. In this respect the bill which your committee propose should be enacted into a law is believed to possess peculiar advantages. The prohibition of all private sales takes from the traffic all legal sanction, while the appointment of public agents who have no personal interest to violate the law, must satisfy the public mind that there is no intention to cast any obstacle in the way of those commercial necessities which require the consumption of alcoholic liquors. The confiscation of all such liquors held for sale illegally gives great facility of enforcing the law. This provision is believed to be carefully guarded, as it certainly requires to be, against abuse. No private dwelling can be entered to search for liquors except by a warrant issued upon the oath of a responsible party that liquor has actually been sold therein. It summons the reputed owner before a magistrate to render any explanations or offer any evidence which might show that his goods are not held in violation of the law. When, however, there is no such evidence to offer, and the goods seized are clearly such as could be held only in violation of law, it destroys at once the means of such illegal traffic. This stringent provision of confiscation has given such efficiency to a similar enactment, as your committee are informed, that it has united the opponents of intemperance in this State in the opinion now very earnestly held, that the statute is altogether the most judicious which has yet been devised for the prevention of that vice, and accordingly they have begged that it may take the place of our present inadequate law.

This harmonious judgment of so large and influential a portion of our citizens, affords a reasonable prospect that the law can be sustained. It is beyond a doubt that the principle of legislative prohibition is generally sanctioned, and the earnest wishes of so numerous a portion of our population give ground for the expectation that should the law be enacted, vigilant eyes and active hands will be every where found to contribute aid to its execution.

Your committee have not failed to inquire whether any constitutional objection existed to forbid such an exercise of authority as the prohibition of this traffic. If the proposed law is in danger of conflicting with any provisions of the Constitution which gives to Congress the right of regulating foreign trade and the commerce between the States, or if it would be repugnant to the clause which forbids private property to be taken for public use, its passage were certainly

unwise and unauthorized. All apprehensions of this kind, however, are completely met by the full statements of opinion by the United States Supreme Court, in the case of the Massachusetts, Rhode Island and New Hampshire license laws, as recorded in the reports of that court. It will be sufficient to cite the words of Chief Justice Taney, who, in the Massachusetts case, so ably argued by Mr. Webster, said, "If any State deems the retail and internal traffic in ardent spirits injurious to its citizens, and calculated to produce idleness, vice and debauchery, I see nothing in the Constitution of the United States to prevent it from regulating and restraining the traffic, or from prohibiting it altogether, if it thinks proper."

In the opinion thus pronounced, every one of the distinguished jurists upon the benches of that high court explicitly concurred, though there was some diversity as to the grounds assumed for the vindication of this power. The right of prohibition, however, was distinctly asserted, even by those members of the court who dissented from some of the reasonings of the chief justice. Judge Catron, whose dissent was the most distinctly pronounced, used the following language: "I admit, as inevitable, that if the State has the power of restraint by licenses to any extent, she has the discretionary power to judge of its limit, and may go to the length of prohibiting sales altogether, if such be her policy; and that if this court cannot interfere in the case before us, so neither could we interfere in the extreme case of entire exclusion, except to protect imports belonging to foreign commerce."

These statements decisively establish the right of the State to prohibit, and of course under any requisite penalties within its borders, all commerce in articles honestly believed to be prejudicial to the health or the morals of its population. Some doubts may perhaps be entertained of the possibility of enforcing such a law. Your committee have considered this question, and find nothing in suggestions of this nature which forbid its enactment. They might be worthy of some regard if there were any questions of a more practicable law; but your committee cannot ascertain that those who in advance question the wisdom of this measure, are prepared even to suggest any more efficient one. Meanwhile such a consideration instead of preventing the formation of a new law, may be urged with tenfold power for the repeal of the old. It is believed that no existing law is so recklessly, constantly and contemptuously violated, as that which you are now urged to exchange for a more vigorous and simple one. Its provisions are so remote from the convictions of

the public mind, that there is no active agency of the people to support, and no competent machinery to enforce it. A very great number of persons now sell habitually without any license in open defiance of the statute ; and this public violation of it has become inveterate under the present system. Of those who are licensed, a great number openly evade its requisitions.

Perhaps the greater part of the liquors consumed, are dispensed by dram-shops, saloons and porter-houses, which are utterly destitute of every requisite for the grocer's license, or the inn-keeper's under which they sell. A very large proportion of those engaged in the traffic, have persisted year after year, in violating the whole intent of the law, with entire impunity, through the inadequacy of its penalties; no failure could be more complete and conspicuous than this has been; and these parties are generally loud in their professions, that a new and more stringent law cannot be enforced. Your committee entertain little doubt that *it can* ; and that its promise of rapid and efficient operation is a much more serious ground of opposition to it, than any apprehensions of a contrary result.

But should the proposed measure be found in any respect defective, the wisdom of succeeding Legislatures, will doubtless be able to give it a happier adaptation to the exigencies of society. The present admirable law, which has given such beautiful simplicity, stability and freedom to the banking operations of our citizens, was reached only through a long series of changes. Each one, however, brought us nearer to the goal and the statute, thus long and laboriously elaborated, has become already a model of legislation among the sovereignties of our Union. Why may we not believe that a simple and vigorous law, which is now so earnestly supplicated at our hands, may by similar changes be rendered entirely adequate to its higher office of protecting the families and morals of our people? Your committee are persuaded, however, that there is no ground for the anticipation of an unsuccessful result.

The experience of the State of Maine, where this law (containing however, provisions far more severe and sweeping) has prevailed for six months, has shown that so far from being impracticable, it is in its operation both easy and effectual; so much so indeed, that it has secured the sympathies of a large class of the citizens of that State, who at first had serious question of its judiciousness. It is this very fact indeed which has directed to the temperance legislation of that State, so unusual a portion of public attention.

Your committee are deeply sensible of the immense benefits, which must result from any wise legislation, which would effectually contract the present wasteful and ruinous indulgencies of a most unhappy portion of our population. To how many a desolate home would such a measure bring gladness and comfort, which the suffering family of the inebriate had almost despaired to see! How invaluable were a law which would check the poverty and diminish the crime, and prevent in any serious degree the diseases, insanities and deaths, which now annually carry grief into so many domestic circles! Such results, in no significant degree are confidently looked for, by your petitioners, from the passage of this law; and your committee are not ashamed to acknowledge that they share the grateful anticipation. Probably no measure which this body can at present be called upon to enact possesses any similar importance, or holds out any equal promise, of beneficial results. In the earnest hope and belief that something of these benevolent results may be achieved by the measure in question, your committee cheerfully recommend that the prayer of the petitioners be granted, and they ask leave to introduce the following bill.

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AN ACT

Entitled an act to prevent pauperism, crime and taxation, by the suppression of the traffic in intoxicating liquors.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows :

§ 1. No person shall be allowed, at any time, to sell, by himself, his clerk, servant or agent, directly or indirectly, or to sell or furnish, under pretence of giving any spirituous or intoxicating liquors, or any mixed liquors, a part of which is spirituous or intoxicating, in less quantities than 30 gallons, except as hereinafter provided.

§ 2. The supervisor of any town, and the mayor of any city, on the first of annually, or as soon thereafter as may be convenient, may appoint some suitable person, in each town and city, or ward of any city, as the agent of said town, city or ward, to sell at some central and convenient place within said town, city or ward, spirits, wines, or other intoxicating liquors, to be used for medicinal, mechanical and sacramental purposes, and no other; and said agent shall receive such compensation for his services as the officer appointing him shall prescribe; and shall, in the sale of such liquors, conform to such rules and regulations as the supervisor or the mayor aforesaid, shall prescribe for that purpose. And such agent, appointed as aforesaid, shall hold his situation for one year, unless sooner removed by the officer from whom he received his appointment, as he may be at any time, at the pleasure of said officer.

§ 3. Such agent shall receive a certificate from the officer by whom he has been appointed, authorizing him as the agent of such town, city or ward, to sell intoxicating liquors for medicinal, mechanical or sacramental purposes only; but such certificate shall not be delivered to the person so appointed, until he shall have executed and delivered to said officer a bond, with two good and sufficient sureties in the sum of six hundred dollars, in substance as follows ;

Know all men that we, as principal, and and as sureties, are held and firmly bound to the inhabitants of the town of , (or city, as the case may be,) in the sum of six hundred dollars, to be paid them, to which payment we bind ourselves, our heirs, executors and administrators firmly by these presents. Sealed with our seals, and dated this day of A. D. . . . The condition of this obligation is such that, whereas, the above bounden has been duly appointed an agent for the town, city or ward of , to sell, within and for and on account of said town, city or ward, intoxicating liquors for medicinal, mechanical and sacramental purposes and no other, until the of A. D. , unless sooner removed from such agency: Now, if the said shall in all respects conform to the provisions of the law relating to the business for which he is appointed, and to such rules and regulations as now are, or shall be from time to time, established by the officer making the appointment, then this obligation to be void, otherwise to remain in full force.

§ 4. If any person, by himself, clerk, servant, or agent, shall at any time sell any spirituous or intoxicating liquors, or any mixed liquors, part of which are intoxicating, in violation of the provisions of this act, he shall forfeit and pay on the first conviction, ten dollars and the cost of prosecution, and shall stand committed until the same be paid; on the second conviction he shall pay twenty dollars and the cost of prosecution, and shall stand committed until the same be paid; on the third and every subsequent conviction, he shall pay twenty dollars and the cost of prosecution, and shall be imprisoned in the common jail not less than three months nor more than six months; and if any clerk, servant, agent or other person in the employment or on the premises of another, shall violate the provisions of this section, he shall be held equally guilty with the principal, and on conviction shall suffer the same penalty. But nothing contained in this act shall be construed to prevent any chemist, artist or manufacturer, in whose art or trade they may be necessary, from keeping at his place of business such reasonable and proper quantity of distilled liquors as he may have occasion to use in his art or trade, but not for sale.

§ 5. Any forfeiture or penalty arising under the above section may be recovered by summons or complaint before any justice of the peace, or judge or any municipal or police court, in the county where the offence was committed. And the forfeiture so recovered shall go to the town or city where the convicted party resides, for

the use of the poor, after deducting the costs of prosecution, including counsel fees; and the prosecutor or complainant may be admitted as a witness on the trial. And if any supervisor or mayor shall approve of the commencement of any such suit, by endorsing his name upon the summons or complaint, the defendant shall in no event recover any costs. And it shall be the duty of the mayor and aldermen, or overseer of the poor of any city, and the supervisor, or overseer of the poor of any town, to commence an action in behalf of said town, city or ward, against any person guilty of a violation of any of the provisions of this act, on being informed of the same, and being furnished with proof of the fact.

§ 6. In case the mayor, or any alderman, or overseer of the poor, or supervisor of any city or ward, or the supervisor or overseer of the poor of any town, shall fail to perform the duties assigned him by the last preceding section, any other person may assume and perform the same in the name of the overseer of the poor or supervisor by giving security to the court or officer before whom he prosecutes, for the payment of all costs if he shall fail to recover judgment, and making oath that such overseer or supervisor has had (10) ten days notice of the offence and has neglected to prosecute the same; and in all cases of such recovery under this section, one half of the sum recovered shall go to the complainant or person prosecuting in the name of such supervisor or overseer of the poor.

§ 7. If any person shall claim an appeal from a judgment rendered against him by any judge or justice, on trial of such action or complaint, he shall, before the appeal be allowed, recognize in the sum of one hundred dollars, with two good and sufficient sureties in every case so appealed, to prosecute his appeal, and to pay all costs, fines and penalties that may be awarded against him upon a final disposition of such suit or complaint. And before his appeal shall be allowed, he shall also in every case give a bond, with two other good and sufficient sureties, running to the town or city where the offence was committed, in the sum of two hundred dollars, that he will not, during the pendency of such appeal, violate any of the provisions of this act. And no recognizance or bond shall be taken in cases arising under this act, except by the justice or judge before whom the trial was had. The forfeiture for all bonds and recognizances given in pursuance of this act, shall go to the town or city where the offence was committed, for the use of the poor; and if the recognizances and bonds mentioned in this section shall not be given within forty-eight hours after the judgment, the appeal shall not be allowed; the defendant in the mean time to stand committed.

§ 8. The mayor of any city, and the supervisor of any town, whenever complaint shall be made to them that a breach of the conditions of the bond given by any person appointed under this act, has been committed, shall notify the person complained of, and if, upon a hearing of the parties, it shall appear that any breach has been committed, they shall revoke and make void his appointment. And whenever a breach of any bond given to the inhabitants of any city or town, in pursuance of any of the provisions of this act, shall be made known to the mayor and aldermen, or supervisor, or shall in any manner come to their knowledge, they or some one of them shall, at the expense and for the use of said city or town, cause the bond to be put in suit in any court proper to try the same.

§ 9. No person engaged in the unlawful traffic in intoxicating liquors, shall be competent to sit upon any jury in any case arising under this act. And when information shall be communicated to the court that any member of any panel is engaged in such traffic, or that he is believed to be so engaged, the court shall enquire of the juryman of whom such belief is entertained, and no answer which he shall make shall be used against him in any case arising under this act; but if he shall answer falsely, he shall be incapable of serving on any jury in this State; but he may decline to answer, in which case he shall be discharged by the court from all further attendance as a juryman.

§ 10. All cases arising under this act, whether by action, indictment or complaint, shall take precedence in said court of all other business, except those criminal cases in which the parties are actually under arrest awaiting a trial; and the court and prosecuting officer shall not have authority to enter a nolle prosequi, or to put the cause over in any case arising under this act, except when the purposes of justice shall require it.

§ 11. If any three persons, voters in the town or city where the complaint shall be made, shall before any justice of the peace or judge of any municipal or police court, make complaint under oath or affirmation, that they have reason to believe and do believe that spirituous or intoxicating liquors are kept or deposited, and intended for sale, contrary to the provisions of this act, by any person not authorized to sell the same in said city, ward or town, under the provisions of this act, in any store, shop, warehouse or other building or place in said city, ward or town, said justice or judge, shall issue his warrant of

search to any sheriff, city marshal or deputy, or to any constable, to be appointed by the judge or court who shall proceed to search the premises described in said warrant, and if any spirituous or intoxicating liquors are found therein, he shall seize the same, and convey them to some proper place of security, where he shall keep them, until final action is had thereon. But no dwelling house in which, or in part of which a shop is not kept, shall be searched, unless at least one of said complainants shall testify to some act of sale of intoxicating liquors therein, by the occupant thereof, or by his consent or permission, within at least one month of the time of making said complaints, and contrary to this act. And the owner or keeper of liquors, seized as aforesaid, if he shall be known to the officer seizing the same, shall be summoned forthwith before the justice or judge by whose warrant the liquor was seized, and if he fails to appear, or unless he can show by positive proof, that said liquors are of foreign production, that they have been imported under the laws of the United States, and in accordance therewith, that they are contained in the original packages which they were imported, and in quantities not less than the laws of the United States prescribed, or are in casks containing at least 30 gallons, they shall be declared forfeited, and shall be destroyed by authority of the written order to that effect, of said justice or judge, and in his presence, or in the presence of some person appointed by him to witness the destruction thereof, and who shall join with the officers by whom they shall have been destroyed, in attesting the facts upon the back of the order by authority of which it was done. And if the owner or possessor of any liquors seized in pursuance of this section, shall set up the claim that they have been regularly imported, under the laws of the United States, and that they are contained in the original packages, the custom house certificates of importation, and proofs of marks on the casks or packages corresponding thereto, shall not be received as evidence that the liquors contained in said packages are those actually imported therein.

§ 12. It shall be the duty of any mayor, alderman, supervisor, assessor, city marshal or deputy or constable, or police officer, if he shall have information that any intoxicating liquors are kept or sold in any tent, shanty, hut or place of any kind, for selling refreshments in any public place on or near the ground of any cattle show, agricultural exhibition, military muster, or public occasion of any kind, to search such suspected place, and if such officer shall find upon the premises any intoxicating drinks, he shall seize them, and arrest the

keeper or keepers of such place, and take them forthwith, or as soon as may be, before some justice or judge of a municipal or police court, with the liquors so found and seized, and upon proof that such liquors are intoxicating, that they were found in possession of the accused, in a tent, shanty or other place as aforesaid, he or they shall be sentenced to imprisonment in the county jail for thirty days, and the liquors so seized shall be destroyed by order of said justice or judge.

§ 13. If any person arrested under the preceding section, and sentenced as aforesaid, shall claim an appeal, before his appeal shall be allowed, he shall give a bond in the sum of one hundred dollars, with two good and sufficient sureties, that he will prosecute his appeal and pay all fines, costs and penalties which may be awarded against him. And if, on such appeal, the verdict of the jury shall be against him, he shall, in addition to the penalty awarded by the lower court, pay a fine of twenty dollars. In all cases of appeal, under this act, from the judgment of a justice or judge of any municipal or police court, to the county court, they shall be conducted in said county court by the District Attorney, and said officer shall be entitled to receive all costs taxable to the State in criminal proceedings under this act, in addition to the salary allowed to such officer by law; but no costs, in such cases, shall be remitted or reduced by the prosecuting officer of the court. In any suit, complaint, indictment, or other proceeding against any person for a violation of any of the provisions of this act, other than for the first offence, it shall not be requisite to set forth, particularly, the record of a former conviction, but it shall be sufficient to allege, briefly, that such person has been convicted of a violation of the fourth section of this act, or as a common seller, as the case may be, and such allegation, in any civil or criminal process, in any stage of the proceedings, before final judgment, may be amended without terms, and as matter of right.

§ 14. All payments or compensations for liquors sold in violation of law, whether in money, labor or other property, either real or personal, shall be held and considered to have been received in violation of law and without consideration, and against law, equity and a good conscience; and all sales, transfers and conveyances, mortgages, liens, attachments, pledges, and securities of every kind, which either in whole or in part shall have been for, or on account of spirituous or intoxicating liquors, shall be utterly null and void against all persons and in all cases, and no rights of any kind shall be acquired thereby; and in any action either at law or equity, touching such real or per-

sonal estate, the purchaser of such liquors may be a witness for either party. And no action of any kind shall be maintained in any court in this State, either in whole or in part, for intoxicating or spirituous liquors sold in any other State or country whatever; nor shall any action of any kind be had or maintained in any court in this State, for the recovery or possession of intoxicating or spirituous liquors, or the value thereof.

§ 15. All acts inconsistent with this act are hereby repealed. This act shall take effect on the first Monday of July next, and no license to sell intoxicating drinks shall be valid from and after that day.

State of New-York.

No. 27.

IN SENATE, FEB. 9, 1852.

RULES AND ORDERS OF THE SENATE.

(Adopted February 9th, 1852.)

1. The President having taken the chair at the hour to which the Senate shall have adjourned, and a quorum being present, the journal of the preceding day shall be read, to the end that any mistake therein may be corrected.

2. After the reading and approving of the journal, the order of business shall be as follows :

1. The presentation of petitions.
2. Reports of standing committees.
3. Reports of select committees.
4. Messages from the Governor.
5. Messages from the Assembly.
6. Communications and reports from State officers.
7. Notices and the introduction of bills.
8. Motions and resolutions.
9. Third reading of bills.
10. Special orders.
11. General orders, but messages from the Governor and Assembly, and communications and reports from State officers, may be considered at any time.

3. The clerk shall make a list of all bills and of resolutions proposing amendments to the Constitution, and of all other matters which shall be committed to a committee of the whole, in

which they shall be arranged in the order in which they were introduced ; which list shall be called the *General Orders of the Day*. And all such matters shall be taken up and acted upon in the several orders of business in which they may be, in the order in which they stand upon the General Orders, unless the Senate shall otherwise direct.

4. Whenever any bill or other matter is made the special order for a particular day, and it shall not be completed on that day, it shall retain its place in the general orders of the day, unless it shall be made the special order for another day.

5. All questions relating to the priority of business, shall be decided without debate.

6. When the reading of a paper is called for, except petitions, and the same is objected to by any member, it shall be determined by a vote of the Senate, without debate.

7. No member shall speak to another, or otherwise interrupt the business of the Senate, or read any newspaper, while the journals or public papers are being read ; and when the President is putting a question, no Senator shall walk out of or across the House, nor when a Senator is speaking, pass between him and the chair.

8. The President shall have the right to name any member to perform the duties of the chair, who is hereby vested, during such time, with all the powers of the President ; but such substitute shall not lose the right of voting on any question while so presiding, nor shall his power as such substitute continue for a longer time than one day, without leave of the Senate.

9. Every member, when he speaks, shall address the chair, standing in his place. No member shall speak more than twice in any one debate on the same day without leave of the Senate.

10. When two or more members rise at once, the President shall name the member who is first to speak.

11. No motion shall be debated until the same be seconded ; and it shall be reduced to writing, if desired by the President or any

member, delivered in at the table, and read by the President or clerk, before the same shall be debated ; but it may be withdrawn at any time before decision or amendment.

12. When a question is before the Senate, no motion shall be received, unless to lay on the table, for an amendment, for postponing it, to commit it, or to adjourn ; and a motion for adjournment shall always be in order and shall be decided without debate.

13. If the question in debate contain several points, any member may have the same divided.

14. A motion for commitment, until it is decided, shall preclude all amendments of the main proposition.

15. Every bill shall be introduced by motion for leave or by order of the Senate on the report of a committee ; and one day's notice at least shall be given of an intended motion for leave to bring in a bill, unless the Senate unanimously order otherwise. Such notice shall state generally the subject matter of such bill.

16. Every bill shall receive three readings previous to its being passed, and the President shall give notice at each whether it be the first, second or third ; which reading shall be on three different days, unless the Senate unanimously direct otherwise. No bill shall be amended or committed until it shall have been twice read ; and all resolutions which propose any amendment to the Constitution, shall be treated in the form of proceedings on them, in a similar manner with bills, except that it shall not be necessary to commit such resolutions to a committee of the whole.

17. Upon a division in the Senate, the names of those who voted for or against a question shall be entered alphabetically on the minutes, if two members require it ; and each member called upon, unless, for special reasons, he be excused by the Senate, shall declare openly and without debate, his assent or dissent to the question.

18. In forming a committee of the whole Senate, a chairman, to be named by the President, shall preside. Bills committed to a committee of the whole Senate, shall, in committee of the whole, be read by sections. All amendments shall be noted, and reported to the Senate by the chairman. After the report, the bill shall still be subject to debate and amendment before the question to engross is put; but such amendments only shall be in order as were offered and decided in the committee of the whole Senate, except by unanimous consent.

19. The rules of the Senate shall be observed in the committee of the whole, so far as may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken. Such committee may strike out the enacting clause of a bill, and report that fact to the Senate; and if the report be agreed to by the Senate; it shall be deemed a rejection of the bill.

20. A motion that the committee rise, shall always be in order, and shall be decided without debate.

21. After a bill or a resolution to amend the Constitution shall be ordered to a third reading, no motion to amend the same shall be in order without unanimous consent; nor, in respect to a bill, shall such motion be in order, unless before it has had its third reading; but every bill not committed to a committee of the whole, shall be read through before it shall be ordered to a third reading.

22. When a member shall be called to order, he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any two members; and if a member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the President or Senate may be better enabled to judge of the matter.

23. When a blank is to be filled, and different sums or time shall be proposed, the question shall be first taken on the highest sum and the longest time.

24. No member shall absent himself from the service of the Senate, without leave first obtained; and in case a less number than a quorum of the Senate shall convene, they are hereby authorized to send a sergeant-at-arms, or any other person, for any or all absent members, as the majority of such members shall agree.

25. Before any petition or memorial addressed to the Senate shall be received or read, a brief statement of the contents thereof shall be endorsed on the same, with the name of the member introducing it.

26. When a question has been once put and decided, it shall be in order for any member to move for the reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment or motion upon which the vote was taken, shall have gone out of the possession of the Senate, nor after the usual message shall have been sent from the Senate, announcing its decision; nor shall any motion for reconsideration be in order, unless made on the same day in which the vote was taken, or within the three next days of the actual session of the Senate thereafter; nor shall any question be reconsidered more than once; and the vote on the final passage of any bill appropriating the public moneys or property, or creating, continuing, altering, or renewing any body politic or corporate shall not be reconsidered, whenever such bill shall be lost.

27. The following are the standing committees of the Senate :

1. On claims.
2. On finance.
3. On the judiciary.
4. On the militia.
5. On canals.
6. On railroads.
7. On roads and bridges.
8. On literature.
9. On state prisons.
10. On banks and insurance companies.
11. On the division of counties and towns.

12. On agriculture.
13. On commerce and navigation.
14. On manufactures.
15. On medical societies and medical colleges.
16. On privileges and elections.
17. On engrossed bills.
18. On Indian affairs.
19. On expiring laws.
20. On public expenditures.
21. On the incorporation of cities and villages.
22. On public buildings.
23. On the poor laws.
24. On charitable and religious societies.
25. On retrenchment.
26. On grievances.
27. Manufacture of salt.
28. Internal affairs of towns and counties.
29. On public printing—And every motion to print any petition, resolution, report, bill, message, or other manuscript, shall be referred to such committee, unless otherwise ordered by the Senate. No more than 1000 extra copies of any message from the Governor, nor more than 300 extra copies of any other document, shall be ordered to be printed, unless by a majority of all the Senators elected.

28. When an amendment to the Constitution, or any bill requiring the concurrence of two-thirds of the Senators, is under consideration, the concurrence of two-thirds shall not be requisite to decide any question for amendments, or extending to the merits, being short of the final question.

29. On motion made and seconded to close the doors of the Senate, on the discussion of any business which may, in the opinion of any member, require secrecy, the President shall direct all persons, except the members and clerk of the Senate, to withdraw; and during the discussion of said motion, the doors shall remain shut; and every member and officer of the Senate shall keep secret all such matters, proceedings, and things, whereof secrecy shall be enjoined by order of the Senate.

30. The proceedings of the Senate upon executive business, shall be kept in a journal separate from its proceedings upon legislative business.

31. The Senate shall go into the consideration of executive business on such days as may from time to time be deemed necessary. All nominations for the appointment of any officer shall be referred to a committee consisting of the senators from the judicial district within which the nominee may reside, and a future day for the consideration of all nominations, shall be assigned, and the consent of the Senate to the appointment of any officer, shall not be transmitted in less than one week thereafter, without the unanimous consent of the Senate; and while any nomination remains with the Senate, it shall be in order to reconsider any vote taken thereon.

32. All information and remarks in secret session by any Senator, concerning the character or qualifications of any person nominated to office by the Governor, shall be kept secret.

33. No person is to be admitted within the bar of the Senate, except gentlemen with ladies, the Governor and Lieutenant-Governor, former Governors and Lieutenant-Governors, former Chancellors, Justices of the Court of Appeals, Justices of the Supreme Court, former Judges of the Supreme Court, Members of Congress, former Members of Congress, Members of the Legislature, former Members of the Legislature, State Officers, Governor's private and military secretary, the Adjutant-General, officers of the Senate, officers of the Assembly, reporters of the Senate, persons introduced by Senators.

34. None but the president, members, and clerk shall be allowed to take any books or stationery belonging to the Senate, from their chamber; and on taking books, each of the persons above mentioned shall furnish to the clerk a list of those taken, and his name, and shall be responsible for them; and the clerk shall take care that once in each week the books provided for the use of the Senate shall be placed in order, according to some fixed arrangement; and he shall make report to the president of such books as are missing.

35. The committee on engrossed bills shall examine all bills, amendments and resolutions, before they go out of possession of the Senate, and make report when they find them correctly engrossed ; reports from the committee on engrossed bills shall at all times be in order. And the clerk of the Senate shall present such bills as shall have originated in the Senate, and been passed by both houses, to the Governor, and enter the same upon the journals.

36. All concurrent resolutions shall lie one day on the table.

37. When a resolution shall be offered, or a motion made, to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order, viz :

1. The committee of the whole Senate.

2. A standing committee.

3. A select committee.

38. When a bill shall be reported by a committee (except the committee on engrossed bills) and not otherwise disposed of the question shall be, "shall the report be agreed to?" And when the report, if favorable, shall be agreed to, or when a bill be twice read, and not otherwise disposed of, the question shall be, "shall such bill be engrossed and read a third time?" Upon such question, the merits of the bill may be debated, and a motion to commit or recommit, or lay on the table, or to postpone to a future day, shall be in order. If such question be decided in the negative, such bill shall be deemed lost; but if it be decided in the affirmative, such bill shall, at the pleasure of the Senate, be read a third time, and the final question shall be taken thereon, immediately after such third reading, and without debate.

39. The question on the final passage of every bill shall be taken by ayes and noes, which shall be entered on the journal; and unless the bill receives the number of votes required by the Constitution to pass it, it shall be declared lost, except in cases provided for by the 41st rule.

40. If on taking the final question on a bill, it shall appear that a constitutional quorum is not present, or if the bill require a vote of two-thirds of all the members elected to pass it, and it appears that such number is not present, the bill shall be laid on the table, and shall be again read, and the final question taken thereon, as provided in the 40th rule, at such time as the Senate shall order.

41. It shall be the duty of the sergeant-at-arms to have the documents and bills upon the files of the President and Senators, placed in the order of their numbers; and for this purpose, the messengers shall be subject to his directions.

42. No rule of the Senate shall be altered, suspended or rescinded, without a vote of a majority of all the members present of the Senate; and no motion to suspend, alter or rescind any such rule, or any joint rule of the two houses, shall be in order without the unanimous consent of the Senate, unless one day's previous notice thereof shall have been given.

43. Every report of a committee upon a bill which shall not be considered at the time of making the same, or laid on the table by a vote of the Senate, shall stand upon the general orders with the bill, in the place in which the bill was placed thereon, and subject to the provisions of the third rule; but if a bill is made the special order of any day, and shall on that day be reported by a committee of the whole, the report may be forthwith considered unless the Senate shall otherwise order; and if not finished on that day, the bill with the report shall retain its place on the general orders, unless made the special order for another day, and the merits of a bill shall not be considered except under the head of general or special orders, unless by unanimous consent.

44. The president shall assign to the doorkeepers their respective duties and stations.

State of New-York.

No. 28.

IN SENATE, FEB. 11, 1852.

REPORT

Of the Committee on Internal Affairs of towns and counties relative to taxation of real estate, mortgages, &c.

Mr. Bristol, from the committee on internal affairs of towns and counties, to which was referred the bill entitled an act, in relation to the taxation of real estate, and of mortgages thereon,

REPORTS:

That the bill proposes to make the amount of tax paid by a mortgagor upon the real estate, encumbered, a payment upon the mortgage, and makes any bargain, or agreement, between the parties by which the mortgagor pays, without the charging over to the mortgagee, void, and usury, and this is, as declared by the 2d section, to apply to contracts already existing, as well as those hereafter made. The retrospective action of this section may be obviated by amendments, if indeed it be not an unconstitutional provision, and if enacted, without force and virtue, except as a cause for litigation, trouble and expense.

Without considering further this section, we proceed to a general consideration of the principle of the act. Of all methods for obtaining money on terms most desirable to the borrower, that of mortgages is the most favorable, and any enactment by the Legis-

lature, which embarrasses and throws obstacles in the way of the borrower, to obtain in this way for a long term of years, the money necessary to prosecute his business, will operate against the class least able to bear additional burthens. The enterprising young man who purchases a farm, and mortgages it as collateral security, gets the credit his laudable ambition is entitled to. But tax mortgages, in the manner proposed, and to the same extent that you make undesirable this kind of security, you throw in his path to competence, obstacles and hindrances.

The loaner of money has in view the largest return with the least labor and trouble. The vexation attending the continually returning settlements with the borrower will, to him, look formidable and induce him, in many instances, to refuse applications for money upon this kind of security; and many fair and honorable men, who only desire lawful interest upon the money loaned by them, will be driven into the shaving system, and seek by purchase of notes and evidences of indebtedness to avoid the vexations this law, if enacted, would subject them to.

It will also be admitted that the principle of this bill would, to the extent of indebtedness by note, book account, or otherwise, apply to those also, and in the same manner, requiring, if carried out, all manner of indebtedness to be taxed and charged in the same way to the creditor, making the collecting and adjusting of taxes a cumbersome and almost an *impossible affair*.

It will be found, upon inquiry, that the immediate adjustment equally of taxes, by the manner of levying and collecting the same, is attended with insurmountable difficulties, and that the act under consideration does not obviate but enhance the burthens of taxation by throwing obstacles in the way of obtaining money upon the longest time and upon the easiest terms by the laboring classes, upon whom ultimately all taxes rest, and are paid; burthens they are now exempted from.

It will be found by the enquirer, who carefully and fully investigates the subject of taxation, by the State, county or town, that the great relief of the individual is in the avoidance of public demands, indebtedness, appropriation and expenses which make them necessary.

This fact cannot be too often and too perseveringly urged upon the people of this country, instead of the mistaken and false hope, that by taxing property largely, labor is relieved, correspondingly from public burthens, arraying one portion of the community against another portion, in the vain and delusive chase of shifting burthens from one class and adding them to the other, *and thereby*, benefiting the country.

Considered in the price which will be fixed by the seller of real estate, and it is obvious, that the price will rise in proportion to the tax imposed upon the *security*, and the additional trouble attending the *same*.

If the views above advanced have any weight, the deduction is inevitable, that instead of relieving debtors it will injure them, and will in effect be an act to discourage the taking of the mildest kind of security and abridging the facilities now existing to acquire a competence by obtaining means to operate with upon time sufficient to safely incur the obligation.

Entertaining the above views, if it were practically a relief from unjust burthens, which this act seeks to effect and if that would be the result of it, like every other measure of merit, it should be adopted. *Its effect would be just the reverse.*

Mortgages are personal property. The holder may be owing thrice the amount. He cannot offset, if this law goes into effect, any portion of it, but must be taxed for it, while his neighbor who owes only the amount of his notes, doubly, twice doubly secured, which he has purchased at a discount of 25 per cent, and which matures in 90 days to be again renewed at the same profit, may offset to the full amount of his indebtedness, *the same*.

Perhaps the real call for this act by the people, if in fact they have called for it, comes in consequence of a misapprehension about the character of *mortgages*. Some consider that a mortgage will take the farm, when a note will not. That some how it is a kind of interest in the estate and not personal property. The *honest man* yields his homestead upon any just demand he cannot otherwise meet, as fully as he is deprived of it, by the foreclosure of the mortgage. The execution sweeps with equal besom *home* and its endearments from the family.

Legally, every man's property is mortgaged to the full amount of his indebtedness, and as mortgages, as contemplated in the bill under consideration, are more favorable to the debtor than many others, additional taxes upon them is *inexpedient*.

It will be urged that, as the law now is, the same property is taxed twice ; the land mortgaged and also the mortgage itself. The purchaser of the land buys it with full knowledge of the taxes annually accruing upon it ; and the seller, too, understands this. The price is accordingly fixed by the parties. So in the case of mortgages given for the purchase money, the matter is adjusted, as far as it can be, equitably by the law as it now is, and to the understanding of the parties.

Mortgages are rightfully considered taxable to the holders, for they are no more and no less than demands, evidences of debt and securities, which may be collected or enforced against the property of the *debtor* ; but if the holder owes to the amount of his mortgages, he may off-set the same upon the tax list. This bill deprives him of this right.

The mortgaged premises frequently fail to fetch the amount of the demand when exposed to public sale ; yet this security is in many instances desirable, working a benefit to both parties. It is spread upon the records of the county, and open to the inquiring gaze of the assessor. It cannot very well be kept from taxation, and is therefore, with notes of hand and book accounts, known to exist. It rarely, and need in no instance, escape taxation. There is, in fact, no double taxing in the case, any more than there is in every other case of indebtedness, by note, book account, or otherwise.

The note B. gives to A. may be to the whole amount of B's farm, and yet no one would think of B.'s charging over to A. the taxes he pays in proportion to his indebtedness to him, as this bill proposes to do with mortgages. And does a mortgage change the relation of the property of A. and B. ?

In this trading, trafficking, buying and selling country, the affairs of individuals are in a state where the exact productiveness cannot be ascertained, hence we cannot mete out to each his equal proportion of the public burdens.

Equitably to adjust taxation, more than that even would be required, were it practicable ; not only the amount of productiveness,

but the necessary expenses of each person taxed, would have to be inquired into, that each should, according to his ability, bear his portion.

To attempt this were a hopeless task, and, though evils do exist in shape of unequal burthens, we must, unless better methods than this are devised, submit to them as inseparable from our condition.

The 3d section of the bill provides for making mortgages real estate; and thus furnishing an excuse for the other sections. That is, after taxing them to pay the taxes upon the land upon which they are a lien, it declares they shall not be taxed as personal property. Now let us look at the practical operation of the whole. A. loans B. \$1,500; B. buys a farm of C., and pays for it \$3,000; \$1,500 of his own earnings, and the \$1,500 he has borrowed of A., and secures A. by a mortgage upon the farm he thus purchases.

The assessor comes around, and B.'s farm is put down at \$1,500. Well, B. pays the tax good naturedly, and charges it over under this act to regulate taxes, to A. A. pays the whole tax upon B.'s property, and the whole of the tax payers lose, to the same amount; for, in effect, B.'s property goes *untaxed*. No one will pretend to say that lands are put in at the price at which they are bought and sold, and they cannot very well be. They are the great bulk of taxable property in this country, (lands and real estate in cities and villages may hold a somewhat different relation,) and that interest as against any other interest, will prevail. The effect of this bill, if enacted, would reduce the amount of taxable property materially. Perhaps 10 per cent, in the entire State, and thus make to that extent, an unequal and oppressive tax to bear upon all others.

One of the reasons for urging any alteration in taxing property, and one reason, perhaps, for the introduction of this bill, is the prevalent opinion that farming lands do not pay as good interest as money loaned upon the securities, under *consideration*. This is frequently urged, for putting lands into the assessment roll, at a nominal price, while personal property cannot plead any such exemption. And here is one of the evils of this bill, that while it makes mortgages real estate, for the purposes of taxation, it makes them personal property, for the levying of *taxes*, and puts them in at their full *expressed value*. It offers a reward for the under valuation of real estate, and at the same time threatens all who would loan upon it money, with double taxation. No capitalist from abroad will

venture to loan upon such securities, within the State of New York; and what is now loaned will be speedily withdrawn, if this bill should become a *law*.

Whether real estate does, or does not, pay as good interest, as the lawful rate upon money loaned, is not now the *question*. There are many reasons, why it is to the family, the best of all investments. It furnishes a healthy business, and the produce consumed by the producer, is a large item, not easily estimated. The farmer has not only what he sells, but he has the first fruits, as he is entitled to them, for his own *use*.

Not to dwell longer upon this point, suffice it to say, that by driving capital out of the State, next to those who are immediately injured as borrowers, the farming interest will suffer by it. The majority of active business men, whose enterprise builds up the villages and manufactories which are the market of the farmer, in part, *depend* at the commencement of their career, and for years afterwards, upon this kind of security to raise money. It is *time* they want. Time to get returns upon their investments, and skill and industry. And when you strike a blow at the only way of effecting this safely for all parties, you do, whatever you intend, *injure all*.

This subject comes under the head, or division of direct *taxation*. However other modes of raising revenues may be objectionable, in consequence of their inequality, direct taxation, does, of necessity, in this country, operate so, and in many instances *flagrantly* so. The widow with her helpless family, must pay to the full amount of the valuation of the property which produces less than their annual necessities require. While the healthy *man*, unincumbered, realizes from his business enough to live in elegance, and add annually to his wealth. The first should, it would seem, be relieved from the payment of public *expenses*. The second should, if ability be the criterion, with others, pay the tax without calling upon her.

Perhaps upon some points, the existing tax laws may be improved, and the undersigned will cheerfully aid in doing so, wherever it is practicable, if called upon. Deeming this bill to be without the merit of promising a remedy for any existing evil, and that its passage or enactment would be a wrong, the following is offered in conclusion—

Resolved, That it ought not to become a *law*.

N. BRISTOL.

State of New-York.

No. 29.

IN SENATE, FEB. 6, 1852.

REPORT

Of the committee on claims, on the petition of Medad Pomeroy, for relief.

Mr. Ward from the committee on claims, to which was referred the petition of Medad Pomeroy for relief, and the proofs accompanying the same, having had the same under consideration,

REPORTS:

That the said petitioner sets forth in his petition that in 1826, he became the owner in fee of a lot of land, known as States hundred acres, of lot seventy-six, in the old town of Junius, now in the town of Seneca Falls, in the county of Seneca, and has continued to own the same to the present time; that at that time three-fourths of the said land was well timbered, that about fifteen acres was an open marsh and the residue susceptible of cultivation.

That the Cayuga and Seneca canal was constructed diagonally across said lot, from the north east corner to the center of the west line thereof, connecting the Seneca outlet with the Seneca river, the level of the canal being the level of the Seneca outlet, at the point where the outlet connects with and forms a continuation of the canal, a portion of the water of the outlet flowing across said lot into and supplying said canal, the residue flowing in its natural channel.

This improvement as it appears did not raise the water above its natural level in the Seneca outlet, but only formed an artificial channel upon the same level as the adjacent waters. That on the com-

pletion of the canal, the damages to the plaintiff for such appropriation of his land was appraised at three hundred dollars, was paid him. That at some time afterwards a dam was erected by the authority of the State across the Seneca outlet, just below the junction thereof with the canal, for the purpose of retaining the water of the outlet, that otherwise would have run off in the natural channel and forcing it into the canal, and that since that time additions from time to time have been made to such dam by increasing its height so that now the water of the Seneca outlet at the point where the water enters into the canal, is raised to a level about two feet above the original level of the water in the canal as first constructed, and for which the said damages were awarded.

As long as no alteration was made in the level of the water in the canal to overset above the level of adjacent water courses at their natural level, little comparative injury would result to the petitioner by the construction of the canal, beyond the loss of the quantity of land appropriated, but that the increased elevation of the water level to the extent of two feet in its influence upon a tract of land naturally low and level, as the petitioner's land appears to be, although naturally susceptible of cultivation, would be attended with a great aggravation of the damages, and such appears to be the grounds of the petitioner's damages. It appears satisfactory that the petitioner has never received any compensation for his damages, except the sum of three hundred dollars for the first appropriation of his land, and that the damages arising from the subsequent erection of the dam and raising the level of the water was not contemplated, or taken into the account. That the injury he now complains of is the aggregate result of subsequent and successive acts and alterations on the part of the State, so blended that it would be impossible to separate and ascribe to each, the true amount of such injury thereby occasioned, and which in their several consequences would be so insidious as to require time to develop the full extent of the damages sustained.

The petitioner states that by means of the lock at the junction of such canal with Seneca river, the waters forced into the canal from the outlet are held back in an ordinary stage of water, so as to overflow the bank of the canal, nearly the whole extent across his said lot, by which an original growth of valuable timber has been destroyed, and as would seem, a great portion of said lot rendered nearly worthless.

The petitioner states that until 1841, which was long after most of the acts on behalf of the State were done, from which the injury proceeds, he resided at a distance and had no knowledge thereof.

The committee in making the foregoing statement of facts feel unusual confidence in their accuracy, from the unusual fullness and clearness of the evidence presented to them in support of the petitioner's prayer for relief. And their apprehension of mistake or imposition as to the main facts is as fully dispelled as is consistent with due caution in regard to the nature of *ex parte* evidence. In their opinion the case presents as fair claims upon the justice of the State for relief, and they are not aware that such relief can be obtained under existing laws. And the committee would feel regret that the patient submission of a citizen, under actual injury, should operate to the prejudice of a just claim, while so great a portion of the time of the Legislature is occupied in the investigation of claims, in many instances much less deserving a favorable consideration.

Your committee ask leave to introduce a bill for his relief.

State of New-York.

No. 30.

IN SENATE, FEB. 9, 1852.

FIRST ANNUAL REPORT

Of the Trustees of the New-York State Asylum for Idiots.

To the Legislature of the State of New-York :

In compliance with the act passed July 10th, 1851, entitled, "An act to establish an asylum for Idiots, and making an appropriation therefor," the subscribers, trustees of the said institution, respectfully submit this their first

REPORT.

The Board of Trustees met and organised in July last, and appointed committees to look out for a proper building in some desirable locality, and also to select a competent superintendent teacher. As all the trustees but one were residents of the city of Albany, it seemed to the board indispensable, in order to secure the necessary supervision, that the institution should be so near that city as to permit the trustees and their committees to visit it frequently. Four of the trustees being State officers, would be wholly unable to perform this duty, at any considerable distance from their offices. And as the enterprise was experimental, there seemed great propriety in its being conducted so near the capital, that the members of the Legislature might from time to time examine it and become acquainted with its nature

and success. It was believed also, that a suitable location could be found in the vicinity of the State capital, on terms as favorable, as at any other part of the State, and that the expense of its maintenance there, would be no greater. These views and expectations have been verified by the results. After having spent some time in searching for such a building as was required and in such a place as should be adapted to the peculiar necessities of the institution, the committee recommended and the board adopted the large, spacious, airy, well arranged building on the Troy road, about two miles from the capitol, belonging to Stephen Van Rensselaer, Esq., who with great liberality agreed to lease it to the State for two years at a rent, not more probably than one-half the actual annual value. The building required very little repair; but some alterations were necessary to adapt it to our purpose, and it was deemed indispensable to supply it with pure water, in large quantity for the laundry, and for bathing. These occasioned some expenses. We think, however, that no one can visit the establishment without being struck with the fitness of all its arrangements, and the supply of every thing required for the health, comfort, and convenience of the inmates, and for the course of training to which the system of education subjects them.

. A part of the committee appointed to select a superintendent teacher, repaired to Barre, in Massachusetts, where a private school for the training and instruction of idiots had been maintained for more than three years, by Dr. Hervey B. Wilbur. Their object was to become acquainted with a subject so novel to us, in order to qualify them to decide on the qualifications necessary for the principal teacher. They found the school in such admirable condition, they had such evidence of the great capacity of Dr. Wilbur, of his devotedness to a wearisome and trying labor, from which most men of education and refinement would recoil, and of his great success, that they determined on an effort to induce him to leave his very profitable school, and take charge of the proposed asylum for this State. Personal interviews between him and the other trustees, induced the latter to concur heartily in the views of their committee. After some negotiation, a proposition, intended to be liberal, was made to Dr. Wilbur

for the services of himself and his family, including his medical care of the pupils, and accepted by him. With his advice the building was selected, and by his assistance and direction it was put in order, the necessary furniture and school apparatus provided, and the asylum opened for the admission of pupils in the month of October last.

The act establishing the asylum limited the number of State pupils to twenty, to be selected from those whose parents or guardians are unable to provide for their support, some of them from each of the judicial districts of the State.

Considering the nature of the enterprise as experimental, it was deemed by the trustees of importance that the selection of pupils should be made with the greatest care, so as to secure those who were proper subjects, who were of an age to be moulded and trained, and who should exhibit a fair average of the great varieties of idiocy. The board determined to select two from each judicial district in which proper subjects could be found, and to distribute the remaining four according to the number of applications throughout the State at large. A judicial district was assigned to each trustee, (excepting the Governor) who dispatched circulars to gentlemen in each county of his district, requesting them to seek out idiot children under 12 years old, in the condition required by the law and possessing the requisites specified in the circulars. These were extensively circulated, with others sent out by the Governor generally. From the returns made, and from applications made by individuals, selections have been made from time to time, of which a list is appended. There are now sixteen State pupils in the institution, two selected, but who have not arrived, one application that will be granted and one vacancy, and seven pupils whose parents or friends pay different sums, according to circumstances, for their support.

The trustees have adopted a series of regulations for the government of the asylum, and for a strict accountability for all moneys received, and for all property in charge of its officers. They have appointed an executive committee of three of their number to take immediate charge of the institution, visit it and draw all moneys for its expenditures.

The expenses incurred in what may be called the capital of the asylum, the preparation of the building, of the introduction of water, and for furniture and apparatus, and such articles as are not in the class of annual expenses, have been about \$3,500. The current expenses for subsistence, salaries, fuel, labor, &c., already incurred, are about \$1,725; many of these are on hand for future consumption. The balance of the appropriation of \$6,000 for the current year, with the amount received and to be received from pay pupils, amounting to about \$1,500, will probably defray all the expenses of the year. Should there be any deficiency, the surplus of the appropriation for the next year will be more than sufficient to meet it, and unless the Legislature direct that a larger number of State pupils shall be received, the balance of the appropriation for the next year will be abundant for all its expenses, as the expenditures for permanent purposes will have been made. Ten additional State pupils, however, may be accommodated in the present building, which will not increase the annual expense more than \$1,500. A greater number could not be received without excluding pay pupils who contribute very much to the support of the asylum, and whose claims upon our sympathies are as strong as those of the other class, and for whose education no other similar institution exists in our State.

So far as the trustees have had the opportunity of forming an opinion from the information they have acquired on the subject, generally, and particularly from their observation of the pupils in the asylum during the time they have been there, they entertain no doubt that in a large majority of cases, idiots may be so trained and instructed as to render them useful to themselves and fitted to learn some of the ordinary trades, or to engage in agriculture. Their minds and souls can be developed, so that they may become responsible beings, and be made acquainted with their relations to a Creator and a future state; and in all cases, almost without exception, they can be made cleanly and neat in their personal habits, and enjoy many of the comforts of life, while they will cease to be regarded as incumbrances and annoyances to the families in which they reside. The report of the Superintendent, Dr. Wilbur, to the trustees, which accompanies this communication, presents such full, clear and able views of

the condition of idiots and their capability of improvement, as to supersede the necessity of any further observations by us. Those who are desirous of information on the subject will find in that report the results of thorough scientific investigations and of practical experience. And the trustees cannot forbear to remark, that they regard the State and the cause of idiots, as having been exceedingly fortunate in our having such a Superintendent, who engages in this irksome charity from the highest principles of Christian benevolence.

We do not understand his recommendations for an enlargement of the capacity of the institution, as being intended for immediate action. At all events, the trustees are of the opinion that for the term of two years originally contemplated, the school should not exceed forty pupils. And they are of opinion that more than 150 pupils cannot be properly attended to by one Superintendent, however numerous his assistants. Each case of idiocy is peculiar and unlike any other, and requires peculiar treatment. Hence the pupils cannot be arranged in classes, at least for a long time, and when in classes the training and education of each must be guided by an experienced and steady hand. The oversight of many assistants is calculated to distract the attention of the principal and divert him from his appropriate duties.

The idea is entertained by some, that to make such schools available to a large number, they should be multiplied and established in the different localities where they can receive pupils from a district of country surrounding them, while they could in time be furnished with practiced teachers, trained and prepared at the State institution. It is not improbable that some such plan will be found necessary. But we are yet without the means of arriving at any safe conclusion. The number of idiots or imbeciles in the State, and their residences, are unknown. The census returns included idiots and lunatics in the same class. It will be necessary to obtain accurate information on these points, before definite action can be had. And we would respectfully submit to the Legislature the propriety of requiring the assessors of the towns and wards and cities, to ascertain the number, age, sex

and condition in respect to health, of all idiots within their assessment districts; and of requiring the superintendents of alms houses, county and town poor houses to make similar returns of the idiots under their charge. With such information before the Legislature, and with the benefits of the experiment making at the State asylum, for the ensuing year, as well as other information to be obtained from Europe and our sister States, plans can be matured which will command the confidence of all. In the mean time public attention will be awakened to the subject, the sympathy of our fellow citizens will be roused, and public sentiment enlightened by discussion and experience, will be prepared to sustain the Legislature in any judicious measures for an object so benevolent.

With these views we would not recommend the erection of a larger building at present. It would not be prudent to make additions to the present building, without a previous purchase or an agreement to pay for them—which is not probable. If authority be given to receive ten additional pay pupils, and a corresponding appropriation be made, all will be done that seems now advisable.

Appended, is an abstract of receipts and expenditures, in which the latter are classed [as either for permanent objects, or for current support, a list of the State pupils and the teachers.

JOHN C. SPENCER,
W. L. MARCY,
JAMES H. TITUS,
FRANKLIN TOWNSEND,
WILLIAM I. KIP,
WASHINGTON HUNT,
SANFORD E. CHURCH,
HENRY S. RANDALL,
J. C. WRIGHT.

January 28, 1852.

RECEIPTS AND EXPENDITURES

Of the N. Y. State Idiot Asylum to January 1, 1852.

There has been drawn from the State Treasury for the use of the Idiot Asylum, on various warrants, the sum of \$4,595 22

Of this sum was expended in fitting up the building

and in the introduction of water,.....	\$964 00
For furniture and apparatus, about.....	1,706 00
For salaries, wages and labor,.....	732 78
Stable, stock, &c,.....	289 00
For annual supplies,.....	207 00
Subsistence bills,.....	427 17
Sundries,.....	269 27

\$4,595 22

There still remains an out standing account that will swell the account of repairs by the addition of \$350. Additional furniture and apparatus, say \$150.

TEACHERS IN THE ASYLUM.

HERVEY B. WILBUR, M. D., *Superintendent.*

MISS ADELINE E. COLEY, *Assistant.*

“ FRANCES H. CLARK, “

LIST OF STATE PUPILS IN THE ASYLUM.

- Dist. No. 1. N. M., W. McC., J. M., city of New-York.
do. 2. H. H., A. P., Brooklyn, Kings co.
do. 3. E. D., Ulster co., C. A., Columbia co., C. L., Albany co.
do. 4. A. M., St. Lawrence co., H. G., Washington co., (O., Franklin co., selected, not arrived.)
do. 5. S. F., Jefferson co., (G. W., from Oneida co., selected, not arrived.)
do. 6. O. B., Madison co., J. O., Otsego co. (There are two pending applications from this district, one of which will be granted.)
do. 7. W. C., Ontario co., M. S., Seneca co.
do. 8. E. A. C., Cattaraugus co.

SUMMARY.

State pupils in the Asylum,.....	16
do. selected but not arrived,.....	2
Applications pending,.....	1
Vacancy 8th district,.....	1
	—
Whole number allowed by law,.....	20
	==

[Regard for the future interests of the pupils and for the feelings of their relatives, has induced the substitution of the initial letters of their names instead of giving them at length. They will be furnished, however, to any member of the Legislature, on application to the Executive Committee or to the Superintendent.]

REPORT OF THE SUPERINTENDENT.

NEW-YORK IDIOT ASYLUM, }
January 23d, 1852. }

To the Trustees of the New-York Asylum for Idiots :

Gentlemen—Brief as has been the period since the passage of the act of the Legislature establishing an asylum for idiots in the State of New-York, through your prompt and efficient action in the preliminary measures for carrying the provisions of that act into effect, those preliminary measures may now be regarded as nearly completed.

Certain essential requisites for the complete fulfilment of the design of this public charity seemed almost providentially furnished to our wants. A large and commodious building, ample grounds, a good supply of pure water, a location presumed to be healthy, retired but yet accessible—all desirable external appliances were early supplied. While within, competent and faithful assistants and servants and a great variety of pupils, selected as equitably as possibly from the several judicial districts, leave nothing wanting that the most ardent friends of the present measure could desire. The present legislation upon the subject was temporary and somewhat experimental in its character. Still, with the well-attested facts accumulated at other and kindred institutions, with the language of the bill before me, and with what I know to have been the intention of the framers of it, I am warranted in saying that the experiment could have relation only to the circumstances of future State endowments. It was to furnish facts as to the number of persons for whom such special care and instruction was needed, as to the best modes of management and instruction, and also more intelligible motives for still larger appropriations from the State treasury. It would have been a

narrow-minded legislation that, shutting its eyes to the triumphant success of public experiments, in parallel circumstances, as to the practicability of educating idiots, should demand a new trial of that question when the friends of degraded and miserable human beings were pleading for their elevation, education and relief.

At this stage of our history as an asylum, an exhibit of the results of our efforts will not be looked for in the report of the Superintendent. Yet certain proper materials for a report to the Trustees and to the Legislature, even at this time, are not wanting.

A brief history of the earliest attempts at legislation in this country in behalf of idiots seems not out of place, and such history will enable me to accord a just tribute of acknowledgment to the disinterested zeal and philanthropy of those gentlemen who may be called the pioneers in such benevolent efforts in this country.

Only a week after the meeting of the Legislature of New-York in the winter of 1845 & 6, the Hon. Frederick Backus of Rochester, then a member of the Senate, made the first step towards any legislation in this country in behalf of idiots, by moving that that portion of the last previous State census relating to the number and condition of idiots be referred to the committee on medical societies of which he was chairman. On the following day he made a lengthy and able report containing a statement of the probable number of idiots in the State; a brief history of the European schools for idiots; the proofs of the very favorable and practical results of those schools, furnished by the testimony of scientific gentlemen of extensive reputation both in Europe and this country, and in addition the opinions of well known superintendents of insane asylums in this country: that asylums for idiots were a want of the age, from their number, present condition, and undoubted susceptibility of instruction. Among other evidence he introduced a letter from the late Dr. Woodward of Massachusetts, which from its date indicated that Dr. Backus had prepared his materials for a report before the commencement of the session and that he had regarded it as the object of all others to be promoted by his membership.

At the proper time, he introduced a bill for the establishment of an asylum for idiots, and which finally passed the Senate by a vote of 11 to 10. This bill, at first concurred in by the Assembly, was finally rejected by a vote of 58 to 47. During the same session, the late Dr. Brigham, in the annual report of the State Lunatic Asylum, dated Nov. 30th, 1845, gave a synoptical statement of the number of insane and idiotic persons in the State. He reported the success of the European institutions for idiots, and ended by expressing the hope that New-York would sooner or later provide an asylum for their special improvement.

During the interval, between the session of '45 and '46 and the succeeding one, Dr. Backus pushed his labors with indefatigable zeal. He collected additional testimony upon the subject. He put himself in communication with M. Saegert, Instructor of the Royal Deaf and Dumb Asylum at Berlin, who had organized a school for idiots, and translated portions of his reports to be embodied in his second one to the Legislature. At his suggestion, also, memorials were presented from several societies for the same end.

In this second year of Dr. Backus' connection with the Senate, a bill establishing an asylum for idiots passed that body by a vote of 17 to 7. This was finally defeated in the House, by the want of time at the close of the adjourned session.

Unsuccessful as was the result of this attempt at legislation for so worthy an object, it was not labor entirely thrown away. The impulse was felt in Massachusetts, for in the April following this public effort in New-York, a resolution was passed by the Massachusetts Legislature appointing commissioners to make inquiries as to the number and condition of idiots in Massachusetts, and report at their next annual meeting. These commissioners were two years in preparing their final report, which resulted in an appropriation for an experimental school for idiots in that State.

To continue the history in our own State, I will mention that Governor Fish recommended the subject to the consideration of the Legislature in both of his annual messages.

But as there was no one in either branch who felt any particular interest in the subject, and who would continually urge it upon their attention, no action resulted from the recommendation.

The history of the legislation to establish our asylum is well known to you. The present Governor not only recommended the measure in his first message, but brought his personal influence with the members of both houses to secure the passage of the bill which founded it.

Now while the friends and supporters of this latter legislative action were entirely satisfied, as I have before intimated, of the practicability, expediency, and duty of educating idiots; and, consequently, of a permanent State provision for the object they were yet not unwilling to commence on a limited scale; in some degree commensurate with the public faith and sense of duty upon the subject; and also that the enterprise should, on the face of it, have something of an experimental character. Nor were even they aware, probably, of the great number of young idiots for whose necessities relief was to be provided. Now were our asylum to be regarded only in the light of a custodial institution, we should have reason to be satisfied with its practical and favorable operation. I rejoice to say, in general terms, what you have had abundant opportunity of verifying in your character as trustees, that it has already brought relief, from support, much care and anxiety to families where such support and care were particularly burdensome, from their very moderate pecuniary means.

But our asylum is not to be regarded in such a light. It is an establishment for the management and education of young idiots. It is an extension of the blessings of education of an appropriate character, to a class of persons of a teachable age—not deaf mutes or blind—whose faculties are not susceptible of development under the customary conditions and facilities of a common education.

I beg leave, therefore, to call your particular attention to the condition of our pupils when they were received. They were

selected by yourselves from every portion of the State, with only written descriptions to guide you, with no restrictions as to the degree of idiocy, and subject only to a few necessary conditions. I was furnished in every case with a certificate, filled out by an intelligent physician acquainted with the pupil, in answer to a series of questions designed to elicit a brief history and description that should throw light upon the general subject of idiocy, as well as furnish hints to guide us in our efforts for their education. From the descriptions given by these certificates, and from additional information furnished by the parents or parties sending, and which, I may say, are confirmed by your own observation, I give the following summary statements.

Of the 25 pupils that we have received at our asylum, 12 could not speak a single word. Of these 12 who were speechless, 6 had no idea of language, could not comprehend a single word or command addressed to them. Of those who are not dumb, 3 say but a few words and those indistinctly; and still 2 others who did not speak till nine years of age, and now but indistinctly, and with a very limited number of words.

Seven walked imperfectly, 3 were subject to partial paralysis, 11 had been subject to convulsions, 8 were subject to excessive flow of saliva, 7 were utterly inattentive to the calls of nature, and several others required constant watching to preserve cleanliness, and 5 were described as very irritable. A greater portion were unable to dress or undress themselves, and but four of the whole number could feed themselves with propriety. None of them could read or write, or count, or distinguish colors by name.

The range of development is from one who is but little below the lower grades of ordinary human intelligence, and who could not be taught to read, or write, or count, by the ordinary educational efforts for that purpose, down to one who cannot walk, nor stand, nor even sit alone; who cannot feed herself, has no idea of language, no fear of falling, faint perceptions of the objects of sight, and who would have starved to death with food within her reach and before her eyes.

Taken as a whole, they are unquestionably below the mass of idiots in the State in point of intelligence, and for the obvious

reason that those parents whose children were among the most marked cases of idiocy, would be the first to avail themselves of the State charity.

One fact with reference to them should be borne in mind, however. These are young idiots and, therefore, of the most teachable age, the proper school-attending age of ordinary childhood. As such, they are free from the confirmed habits which constitute, in the main, the disagreeable or repugnant features of the common appreciation of idiocy. Their whole organization is more flexible, more susceptible of development. The physical defects or infirmities with which the idiocy is connected, or upon which it is dependent, are more amenable to proper rules of diet, regimen or medicine. And to prevent any misapprehension of my meaning in this report, when speaking of idiocy, I will venture to define the term even at peril of adding one more to the number of definitions that have been successively declared imperfect or erroneous.

Idiocy is the want of a natural or harmonious development of the mental, active and moral powers of a human being, and usually dependent upon some defect or infirmity of his nervous organization.

I use the word *idiot*, too, in a generic sense and with similar latitude, sanctioned as such usage is by the derivation of the word, by the custom of the most approved writers upon the subject, and still again by the popular idea of the word, as evinced by the variety of subjects for whom applications for admission have been received at our institution.

Now in visiting our asylum and observing the pupils gathered there, or in reading the summary statement I have already given of their present peculiarities, you may notice the usual phenomena of idiocy. Here you will see manifested in almost every case the evidences of imperfect physical organization, though you will not see, except in two or three cases, any very noticeable deviations from a regular form of head or face; and in these few cases the comparative deviation is no criterion of the extent of the idiocy. Here are exhibited a variety of *physiological* symptoms. These constitute the prominent features in the

popular observation and idea of idiocy. Absolute muteness or imperfect speech, the wandering gaze or fixed and vacant stare, imperfect hearing, defective or excessive sensation generally, excessive restlessness or inertia, certain mechanical motions always done in any assemblage of idiots. Nor will a variety of disorders of function of the various organs be unnoticed.

Finally, one may witness in all cases a deficiency in the great exciting and regulating principle of human thought and human action—the *human will*. It is this peculiarity that seems to underlie all the other constant symptoms of idiocy. Now it is exhibited in a pupil whose mental faculties seem adequate for any ordinary intellectual operations, and yet they wander vaguely uncontrolled, without collecting food to nourish or invigorate them. Now, still more prominently, in a subject, with adequate muscular power, with intelligence sufficient to direct that muscular ability, with appetite craving, and yet a want of power of *will* to extend the hand for food.

In general terms our pupils may be described as affectionate, mild and obedient and easily amused or rendered happy. Still their pleasure and happiness is derived, not from the impressions resulting from sensation generally, but from the continued repetition of a limited number of impressions. And it should be observed as having an important bearing upon the duty we owe them of education, that left to themselves, the range of these sensations rather diminishes with increasing age and feeble sources of pleasure as they may now seem, they will yet pall under the ceaseless repetition.

Regarding, then, these pupils at our asylum as representatives of the whole class of idiots in the State, I will notice, briefly, the immediate objects and ends of any rational efforts for their relief and education.

We do not propose to create or supply faculties absolutely wanting; nor to bring all grades of idiocy to the same standard of development or discipline; nor to make them all capable of sustaining, creditably, all the relations of a social and moral life; but rather to give to dormant faculties the greatest practicable development, and to apply those awakened faculties to a useful

purpose under the control of an aroused and disciplined will. At the basis of all our efforts lies the principle that the human attributes of intelligence, sensitivity and will are not absolutely wanting in an idiot, but dormant and undeveloped.

Gross misconceptions I know prevail upon the true nature of idiocy that produce a want of faith in the teachableness of idiots. These arise partly from the crude and hasty observation of a limited number of cases and are confirmed by the common expressions one meets with so frequently whenever the subject is written about or spoken of. Even the witnessed or well authenticated results of efforts for their education are regarded as if they were the performances of trained animals; as if because their animal nature is developed, somewhat at the expense of the spiritual, they were endowed with instinct, instead of reason, by the Creator. But it should be remembered that they have a human origin; that however they may differ in physical, mental or moral organization they are yet human beings.; that their degradation in the scale of humanity, however it may modify, constitutes no absolute release or outlawry from the duties or rights which belong to them as human beings, and finally, that they have a human soul, a human destiny. It should be remembered (to borrow the forcible language of another applied to a very different subject,) "that the difference between the dying and the undying—between the spirit of the brute that goeth downward and the spirit of the man that goeth upward, is not a difference infinitesimally or even atomically small. It possesses all the breadth of the eternity to come, and is an infinitely great difference. It cannot, if I may so express myself, be shaded off by infinitesimals or atoms; for it is a difference which, as there can be no class of beings intermediate in their nature between the dying and undying, admits not of gradation at all." Now while this principle of the existence of the germs of all the immaterial faculties, powers and capabilities, no matter how defective or feeble the material organization, may seem difficult of application in certain cases within the range of our conceptions; yet it should be remembered that this creature of abstractions is not the creature of reality. As you descend in the scale of human degradation the numbers diminish. The greater the exception to the ordinary and natural conditions of humanity, the rarer is the case. As a matter of

practice we have to deal mainly with those, where we can, with but a superficial observation detect the rudiments and germs of proper physical, mental and moral endowments. Let me present briefly to your attention some of the special means for awakening the dormant powers and faculties of our own pupils: In the first place where the idiocy is dependent upon a very marked physical imperfection or infirmity, and these of a curable character under the application of proper remedial means, as in the case of Cretins in the Alpine valleys, of course suitable moral training conjoined with proper remedial measures will result in the complete removal of the idiocy. A multitude of well authenticated cases of complete restoration from the lowest grades of idiocy connected with Cretinism, to a well developed and disciplined intelligence sufficiently attest this opinion. Such cases of extreme physical depravation and at the same time so yielding to proper restorative agencies will constitute the exceptions in idiot asylums in this country. Still the physical causes and symptoms will always be so prominent as to direct the first efforts of the teacher towards the physical training of the idiot. These physical exercises will have the object of establishing the control of the will over the muscular system, cultivating the imitative faculty and fixing the attention of the pupil.

Then we have recourse to what may be more strictly regarded as educational means.* These means, compared with the exercises in the ordinary educational systems, are as much more varied and comprehensive as the peculiarities and obstacles in the way of instruction, are greater in the one case than in the other. In the case of ordinary children, all the natural channels of communication between the mind and the external world are open. In addition, the mind sits alive and awake to receive and appropriate to itself the facts and phenomena communicated through those senses. Sensation is a law of their being; perception is the next natural step from sensation; and memory, com-

* To Dr. Edward Seguin, the pupil and friend of Itard and Esquirol, is due the credit of first systematising the educational means in the case of idiots. To his very able works upon the subject, I beg leave to make this public acknowledgment of my continued indebtedness from the very outset of my labors in the same cause. Well deserved tributes to his great excellence as a teacher and philanthropist, may be found in the contributions of Dr. Conolly to the British and foreign Medical Review, and in the very interesting letter of Mr. George Sumner, which constitutes the greater portion of the first report of the Mass. commission on the subject.

parison and judgment as naturally follow. Educated by these simple intellectual operations, their minds turn inwardly, and with the exercise of consciousness, become capable of comprehending the laws of mind. Their wills undergo a simultaneous development, through the reciprocating influences of intelligence and will. In the case of our pupils, as we have seen, these natural avenues between the mind and the world of relation are more or less obstructed; and not only so, but the mind itself, inert and feeble, sleeps while the dull sensations are calling faintly for entrance. Their sensations are imperfect; they awaken no perceptions, or if any, but indistinct and limited, and consequently faint and feeble will be, if any, the mental operations that follow. To obviate these conditions, we educate the senses till they perform their office with correctness, precision and celerity; we increase the faculty of imitation; we awaken the perceptions, securing correct notions of surrounding and familiar objects; we excite a healthy curiosity; we cultivate the memory and comparison; we arouse the will by appropriate stimuli, producing activity, spontaneousness and self-reliance; we nourish the feeble flame of emotions, desires, affections, and a proper sense of right. During all this course, our ceaseless effort will be to reform improper habits and teach the proprieties of life.

Now it must be obvious to you, gentlemen, that many of the principles adopted in any judicious course of instruction for ordinary children will be equally applicable to our pupils.

I will not occupy any space in enumerating the details of modes and appliances adopted at our asylum. You have witnessed some of them in your periodical visits to the asylum, and the institution is opened by your regulations at stated periods for the inspection of all interested; nor shall I object to any still more general visiting compatible with the *interests of the pupils*.

Having thus described the immediate objects of our special system of education, I am led to the question, which is the practical one, in any wise and thoughtful consideration of the subject: What is the ultimate object and end of the education of idiots? What is to be the effect of this education upon their future life, both with respect to themselves and to society? I answer them in general terms. Education is a means, not an end. That it is

a well established principle, that a proper education gives increased capacity for usefulness; increased understanding of and subserviency to social and moral obligations, and increased capacity for happiness.

But great as are the benefits of education in ordinary cases, its achievements are still greater when, instead of increasing the capacities of the pupils, it substitutes capacities for incapacities; when it restotes a class of human beings, now a burden to community, destitute of intelligence, degraded and miserable, to their friends and to society, more capable of development, under the ordinary circumstances of human development; nearer the common standard of humanity, in all respects; more capable of understanding and obeying human laws; of perceiving and yielding to moral obligations; more capable of self-assistance, of self-support, of self-respect, and of obtaining the greatest degree of comfort and happiness with their small means. And will not this be the effect of the system of management and education for idiots, which I have imperfectly described. Which confirms their health; which educates their various muscles till they are possessed of dexterity; which teaches them *to observe* of themselves, the objects, facts and phenomena by which they are surrounded; which teaches them to *compare* these phenomena one with another, and to *reason* upon these observations and comparisons; no matter how simple, at the outset, are these exercises of *observation*, of *comparison*, and of *judgment*, if they are only spontaneous, if they are only accomplished by the pupils themselves, they will necessarily be the stepping-stones to higher mental operations of the same character. Will not this be the effect of a system of instruction, which stimulates the curiosity of the pupil; which cultivates and disciplines his *will*, by the natural processes by which the will is developed and strengthened, through the instinct of self-preservation, through the desire of gratification of the appetites, the senses and an awakened curiosity, through motives of an intellectual character, and finally through the influence of moral considerations.

Now, I will venture to add, in speaking of the ultimate results, that the intrinsic usefulness, comfort and happiness of the subject of the special education is as much promoted in the case of

the idiot asin that of the deaf, mute or the blind ; that the comfort and happiness of the friends is in still greater measure promoted by such education in the case of the idiot than in the subject of other kindred charities.

But I may say, more specifically, that the ultimate results of our instruction will be of this character.

In the first place, there are cases which may be called cases of *simulative* idiocy. These are children whose development has been retarded from congenital or other causes of a physical nature ; and where these causes have been removed by the recuperative effort of nature, but the subjects are left bound down by the strong force of improper habits, which can be overcome only by the judicious labors of a suitable instruction. In these cases the result can be predicted with the utmost certainty. It will be the complete preparation for all the ordinary duties and enjoyments of humanity. Another class, embracing what may be called the higher grades of idiocy, will be fitted at our asylum for entering common schools, to continue their education there with the same ends and objects as the other pupils ; to be qualified like them for civil usefulness and social happiness.

But the lowest class of our pupils will receive here corresponding benefits, and comparatively, perhaps, equal improvement, for the lower the pupil in point of intelligence, the more practical will be the instruction. Even those will be rendered decent in their habits, more obedient, furnished with more extended means of happiness, educated in some simple occupations and industry, capable of self-support under judicious management in their own families, or in well-conducted public industrial institutions for adult idiots.

With this confident assertion of the general ultimate and practical good results of a proper educational course for idiots, I am yet ready to admit the existence of exceptional cases which may be called incurable ; I say incurable rather than insusceptible—because this incapacity for development resides not in any peculiarity of size or quality or even function in the brain—but is always,

in my opinion, the result of disease involving an actual disorganization of the nervous centres, the brain or spinal cord.

Oftentimes this diseased condition cannot be predicated in a given case, and we are authorized to form such an opinion only after a faithful trial of suitable remedial and educational means.

But the good results of such benevolent institutions as our own will not be confined to the idiots within their walls, as may be plainly seen in the history of all other public charitable institutions. They will affect favorably the condition of every idiot in the State.

I have attempted to set forth in this report the leading characteristics and phenomena of idiocy, the deviations, as I regard them from the natural standard of humanity; I have given an imperfect exposition of the principles and modes of a system of management and education designed for the relief and elevation of idiots; I have stated what, it would seem to me, to be the obvious results of such adapted measures, as a matter of theory. It only remains to add, that just such measures, in several countries, and under a variety of circumstances, have entirely satisfied the reasonable expectations and hopes of the friends of humanity in their behalf.

Institutions exist in France, in Switzerland, in Wurtemberg, in Prussia and in Saxony, and they have been crowned with abundant success as is confirmed by a multitude of authorities who have been eye witnesses. Four years have now elapsed since the establishment by private endowments of the English asylum for idiots, and complete realization of the hopes and wishes of its founders, is the only inference from the fact, that in the three first years of its history the number of its pupils had increased from 15 to 156, and the means for their support had been proportionately increased. But the successive reports of that institution contain positive testimony of an unquestionable character, of the practical benefits already obtained by their own pupils.

Two schools in Mass., now in the fourth year of their existence, have by corresponding results confirmed the experience of European philanthropy, that the education of idiots is both practicable and expedient. Furthermore, I think I might with safety appeal to your own observations to sustain me, when I say that

even in the short period since our asylum was organized, some improvement has been witnessed within its walls. You will confirm my testimony when I say that the observation of a single day in our asylum, of the habits of order, of regularity and obedience, and of manifest interest on the part of the pupils, in the various exercises of the school-room ; of increased capacity for self-assistance in all personal duties ; of the access of some degree of propriety of behavior at the table, and of the substitution of occupations and amusements for disagreeable habits, would alone convince of the entire practicability of the scheme for the amelioration of the condition of idiots.

In conclusion, gentlemen, while I can congratulate you on the favorable auspices that have attended the opening of the institution over which you have the general supervision—while I can congratulate you on the relief it has already furnished to the parties sending pupils, and the high hopes of ultimate benefit it holds out to those pupils, I could not do justice to my own feelings without calling your attention to the inadequacy of the present State provision for the education of idiots.

The appropriation is inadequate because it only makes provision for 20 or 30 pupils when there are hundreds of idiots of a school-attending age in the State; inadequate, because with suitable buildings a moderate increase of the annual appropriation would extend the blessings of appropriate education to a quadruple number of State beneficiaries; inadequate, because the enlarged number would secure the advantages of classification, both with reference to the instruction and the association of pupils; inadequate, because a State provision of a more permanent character would constitute a nucleus around which would cluster the spontaneous offerings of private philanthropy, in behalf of a charity so novel and so delightful in its results; and inadequate, *comparatively*, because while substantial and commodious buildings and liberal annual appropriations are provided for the insane, for the deaf-mute and the blind, multitudes of idiots equally susceptible of improvement in capacity for usefulness and happiness, (the directors of those same charitable institutions themselves being judges,) are passing, for want of similar facilities for education and elevation, beyond the period of their existence when

susceptibility to improvement gives place to confirmed and degrading habits.

The post of superintendent of such an institution as ours, is one of no ordinary responsibilities. To preserve and confirm the health of pupils entrusted to my care—many of them of imperfect bodily organization, to train and teach them in a manner best adapted to the peculiarities of each individual case, to supervise all those domestic arrangements equally essential to the best interests of the pupils and to the economical administration of the State charity, to keep the parents and friends of the pupils informed from time to time of their welfare and improvement, and finally to labor for the extension of correct ideas in the community of the objects and promise of our institution—all these duties will press with exceeding weight upon any single individual. Trusting, however, to your continued intelligent and hearty co-operation, and relying constantly upon the Divine blessing upon the labors of my assistants and myself, I shall hope in meeting those responsibilities to prove myself not unworthy of your kind selection and approbation.

H. B. WILBUR,
Supt. N. Y. Asylum for Idiots.

State of New-York.

No. 31.

IN SENATE, FEB. 7, 1852.

REPORT

Of the Comptroller in relation to expenses of government, &c., from 1817 to 1851, inclusive.

COMPTROLLER'S OFFICE, }
Albany, Feb. 7, 1852. }

TO THE SENATE :

In compliance with the following resolution of the Senate,
viz:

“ In Senate, Feb. 2d, 1852.

“ Resolved, That the Comptroller be requested to furnish a statement showing from what sources the sums paid from the treasury for the support of the government, from and including the year 1817, up to and including the year 1851, were derived in each year, and the aggregate amounts received into the treasury each year, from those sources. The statement to be in the form of the one reported by that office to the constitutional convention, and contained in Document 111, of that body.

“ And also that he be requested to report the statement on page 13 of Convention Document No. 47, of the expenses of the support of the government for a series of years, with a continuation of the same to the close of the last fiscal year.

“ By order,

“ I. P. BARNES, *Clerk.*

I have the honor to submit the statements marked A and B, hereto annexed.

Statement A shows the receipts into the treasury, applicable to the support of the government, and the sources from which the sums paid for the expenses of the government were derived from 1817 to 1851, inclusive.

Statement B shows the payments from the treasury on account of the General Fund for expenses of the government, with the interest on the General Fund debt in each year, during the same period.

J. C. WRIGHT, *Comptroller.*

STATEMENT A.—(CONTINUED.)

	1894.	1895.	1896.	1897.	1898.	1899.	1900.
Auction duties,	\$233,101 53	\$386,942 38	\$284,237 84	\$248,289 65	\$267,187 40	\$242,552 54	\$218,513 68
Salt duties,	99,211 18	79,867 83	77,406 33	130,666 64	111,546 38	162,812 23	154,332 82
State tax,	241,090 91	134,692 47	147,634 17	327 71	249 99	2,070 50	.....
.....	20,000 00	20,000 00	.....	.....	.....	.....	.....
.....	74,807 56	78,050 58	74,487 27	67,606 77	69,409 00	69,187 61	94,989 30
.....	35,293 80	56,181 17	37,817 73	36,315 54	30,666 98	19,076 46	28,832 27
.....	6,342 85	6,520 70	5,618 40	71 71	.....	.....	.....
.....	1,016,106 50	260,000 00	36,549 03	.....	155,196 01	.....	.....
.....	75,726 45	7,123 26	40,264 86	.....	.....	.....	.....
.....	.....	.....	.....	19,507 31	20,000 00	280,000 00	5,000 00
.....	14,022 70	34,417 70	28,498 04	38,191 01	22,060 22	16,073 10	10,326 42
.....	463 67	682 75	825 41	847 61	1,103 64	836 27	1,007 69
.....	1,943 01	4,670 84	11,128 85	6,119 44	5,430 63	5,127 80	26,298 63
.....	3,200 00	2,700 00	2,278 00	1,879 00	1,980 00	1,680 00	1,310 00
.....	54,798 67	47,577 70	68,408 66	27,579 64	27,670 68	81,061 68	83,763 14
.....	12,452 75	11,584 02	29,454 68	2,816 99	3,367 78	4,062 11	14,237 49
.....	214 25	632 19	147,400 47	22,324 44	76,583 79	640 26	10,700 97
dampsons,	.....	.....	.....	.....	.....	.....	.....
& sold,	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	26,867 64	28,980 17	621 24	1,700 30
f 1836, and 238 of 1841,	.....	.....	.....	.....	104,100 52	1,000 00	.....
.....	.....	.....	.....	.....	.....	1,991 63	1,991 63
.....
for sinking fund,	.....	.....	.....	.....	.....	.....	.....
do	.....	.....	.....	.....	.....	.....	.....
court of appeals,	.....	.....	.....	.....	.....	.....	.....
New-York,	.....	.....	.....	.....	.....	.....	.....
s on Staten Island,	.....	.....	.....	.....	.....	.....	.....
Miscellaneous,	9,966 81	8,141 63	13,669 25	3,130 82	7,149 16	6,306 96	86,048 76
Total,	\$1,897,870 77	\$1,028,540 01	\$1,003,485 80	\$681,521 81	\$922,594 23	\$949,579 39	\$757,422 68

STATEMENT A.—(CONTINUED.)

[illegible]

STATEMENT A.—(CONTINUED.)

	1840.	1845.	1847.	1848.	1849.	1850.	1851.
Auction duties,.....	\$176,148 62	\$139,312 22	\$87,942 17	\$103,901 30	\$93,025 46	\$95,809 68	\$102,667 02
Salt duties,.....	132,024 84	75,507 34	32,398 64	43,947 67	61,596 98	44,364 03	45,458 08
State tax,.....	548,504 09	346,811 47	291,802 11	238,308 74	278,843 10	272,432 45	280,165 87
Lotteries,.....							
Bonds for lands,.....							
Loans to individuals, &c.,.....							
Loans of 1786, 1792, and 1808,.....							
Debts due from banks, &c.,.....							
Interest on debts,.....							
Bank and other stocks sold &c.,.....							
Dividends and interest on stocks,.....							
Fees of the public officers,.....							
Sales of lands,.....	1,543 56	2,339 98	1,908 27	2,180 44	1,767 02	2,277 13	2,867 22
Pedlers' licenses,.....	265 77	687 69	419 23	4,824 27	1,210 00	32,700 83	4,374 11
Arrears of county taxes,.....	1,750 00	2,445 00	3,080 00	2,290 00	1,445 00	1,700 00	1,876 00
Interest on do.....	35,312 90	57,643 53	55,808 56	44,285 65	53,369 20	25,048 40	24,719 35
Sales of lands for taxes, and redemptions,.....	5,084 58	7,484 98	11,734 84	12,086 10	16,797 17	4,273 19	4,437 81
Loans to the State,.....	73,111 48	3,080 26	1,317 51	6,111 10	224,449 29	34,817 02	103,137 43
Sold,.....	478,973 10	13,994 48	10,000 00	6,000 00	16,000 00		
1840,.....	10,753 80						
1841,.....	2,675 38	3,310 75	8,588 86	4,610 14	6,062 11	802 79	479 47
1842,.....		400,000 00	300,000 00	300,000 00	300,000 00	300,000 00	300,000 00
1843,.....		8,376 02	6,821 20	3,292 77	14,428 12	13,294 94	12,773 67
1844,.....	5,842 29	9,036 24	12,040 12	14,963 70	3,759 12	28,806 96	21,617 57
1845,.....	17,850 18	34,896 47	30,857 76	9,456 54	775 37	33 89	
1846,.....	83,671 90		300,000 00	350,000 00	350,000 00	398,913 24	360,000 00
1847,.....			6,250 00	7,000 00	7,000 00	7,000 00	4,006 20
1848,.....				882 82	1,534 80	556 15	1,114 87
1849,.....		28,077 47	3,808 46	1,137 00	1,730 83	865 00	886 00
1850,.....			33,284 57				
1851,.....		4,432 52	30,276 90	21,571 52	3,246 74	2,505 93	12,689 46
From the revenue of the canals, for sinking fund,.....							
Interest on investments of do.....							
Fees of the clerk's office of the court of appeals,.....							
Sales of the Natural History of New-York,.....							
Sale of land to the United States for Staten Island,.....							
Miscellaneous,.....	8,558 43						
Total,.....	\$1,033,040 59	\$1,137,346 24	\$1,177,363 01	\$1,075,111	\$1,325,122 16	\$1,158,211 00	\$1,213,180 68

STATEMENT B.

Of payments from the treasury, on account of the General Fund, in each year, from 1817 to 1851, inclusive, showing the payments for interest on the General Fund debt, during the same period, separately.

Year.	Expenses.	Interest.	Total.
1817,.....	\$357,652 00	\$189,559 00	\$547,211 00
1818,.....	329,000 00	138,335 03	467,335 03
1819,.....	336,584 00	88,215 62	424,799 62
1820,.....	327,560 00	105,740 43	433,300 52
1821,.....	368,500 00	86,736 67	455,236 67
1822,.....	381,553 00	76,800 00	458,353 00
1823,.....	354,041 00	72,108 49	426,149 49
1824,.....	313,002 00	55,500 00	368,502 00
1825,.....	381,725 00	.....	381,725 00
1826,.....	435,228 00	.....	435,228 00
1827,.....	404,872 00	.....	404,872 00
1828,.....	552,671 00	.....	552,671 00
1829,.....	486,779 00	.....	486,779 00
1830,.....	415,019 00	.....	415,019 00
1831,.....	319,292 00	.....	319,292 00
1832,.....	387,087 83	6,806 25	393,894 08
1833,.....	303,989 98	28,923 11	332,913 09
1834,.....	356,589 65	33,246 65	389,836 30
1835,.....	351,014 77	38,292 58	389,307 35
1836,.....	482,619 43	41,911 58	424,531 01
1837,.....	483,823 79	48,686 04	532,509 83
1838,.....	559,356 93	51,090 91	610,447 84
1839,.....	873,841 00	57,287 71	931,128 71
1840,.....	798,482 44	59,963 65	858,446 09
1841,.....	858,910 63	77,204 48	936,115 11
1842,.....	690,133 35	227,234 44	917,367 79
1843,.....	673,139 19	244,111 82	917,251 01
1844,.....	709,040 35	244,728 23	953,768 58
1845,.....	913,110 49	237,321 76	1,150,432 25
1846,.....	866,543 81	300,769 62	1,167,313 43
1847,.....	702,710 13	343,002 07	1,045,712 20
1848,.....	884,780 14	329,516 82	1,214,296 96
1849,.....	827,293 39	336,442 00	1,163,735 39
1850,.....	777,340 32	351,541 90	1,128,882 22
1851,.....	879,368 76	350,946 32	1,230,315 08

State of New-York.

No. 32.

IN SENATE, FEB. 17, 1852.

REPORT

Of the committee on claims on the petition of W. W. Niles, for relief.

The committee on claims, to which were referred the papers and documents relating to the claim of William W. Niles, for the destruction of certain property at the Long Island farms, in May, 1847, having had the same under consideration,

REPORT:

That on the 21st day of May, 1847, the petitioner, Wm. W. Niles, was the owner of two large buildings situate in the town of Newtown, Queens county, on certain lots owned by him, being part of a larger tract called *The Long Island Farms*. He owned also a third house about 300 feet distant, standing on the lot of a Mr. Seymour, which house he had bought of the said Seymour for the purpose of removing it and attaching it to his other houses. What the value of the three buildings, or of either of them was at that time, your committee cannot precisely determine, nor do they deem it necessary to hazard a conjecture. It is made evident that they were of very considerable value, as they had been erected some dozen years previous at an expense of more than *thirty thousand dollars*; and the middle and main building at least, was constructed of unusually strong materials, and all three buildings were filled in with brick throughout.

On the said 21st May, 1847, owing to much sickness and destitution among the foreign emigrants arriving at the port of New-York, the Commissioners of Emigration, in discharge of important duties imposed on them by authority of the State, and in obedience to the laws of humanity, and for the preservation of the health of a crowded city, sought some proper place out of the city to be used as a temporary hospital for the comfort and restoration of these unfortunate emigrants. The comparatively secluded and very salubrious location of your petitioner's buildings, added to their nearness and easiness of access from the city, recommended them to the Commissioners as highly desirable for this humane and indispensable object. An application was accordingly made to him by the Commissioners to obtain a lease of said houses for that purpose, and an agreement between them was entered into on the said 21st May, 1847, by which the said Commissioners leased two of the said houses for the term of two months, at the rent of one hundred dollars per month, with the privilege of occupying them one year at the same rate; and also with the privilege of taking the remaining house, (situate between the other two,) which was of much greater value, at the further price of one hundred dollars a month for two months, also with the privilege of a year. It was also stipulated in this agreement, that further papers should be subsequently executed. On the 25th May, by a further written agreement the Commissioners elected to take the middle or centre building for two months, with the privilege above named, acknowledging that they had taken from Mr. Niles the said three buildings on the terms above mentioned, i. e., at two hundred dollars a month, and expressly waving the execution of more formal papers, and agreeing to pay the rent monthly *in advance, on taking possession*. On the next morning, i. e., on the 26th, they by their agent, Judge Taylor, and Dr. Hasbrouk, their physician, proceeded to the premises and took formal possession, and paid two hundred dollars rent to your petitioner on the spot, thereby disposing of the question of possession in such a way as to deprive Mr. Niles of all remedies or right of action against third persons for all trespasses done to the premises during the continuance of their lease; to all which remedies the agents of the State succeeded, as a necessary legal consequence, for the protection of the property, the law at the same time by the consistent harmony of its provisions stimulating the vigilance of the tenants, and compensating the lessor for the loss of one remedy of security by imposing certain obligations in his favor on the lessees, making them accountable for all voluntary or permissive waste of the premises in the loss or destruction of houses or fixtures, not happening

from the providential acts of God, or from public, belligerent enemies of the nation. The lessees, undoubtedly, with the possession of the property, became invested with the law's amplest remedies to punish or redress every injury that could be redressed by civil action, which remedies extend to all acts except those of public war. Public enemies acting under the sanctions of war, are, by the law of nations, not responsible to civil tribunals; these owe no allegiance, and in the conflict of arms the laws become silent. "*Inter arma silent leges.*"

And here is found the true ground of the limitation of the lessees liability. The law, in theory at least, judges it a hardship inconsistent with justice or policy, to hold a tenant responsible for waste or devastation where he has no corresponding remedy to which he can look for indemnity; and hence the exception "*cessat ratio, cessat lex.*"

It is believed, that any one at all acquainted with the history and principles of the English law on this subject, will recognise the foregoing as a true statement of the principles of that law from time immemorial, as applied to estates for life created by law; that wherever that law created a life estate, such as tenancy by curtesy or dower, it imposed on the tenant this full measure of responsibility; that conventional estates for life or years, or for less than a year were without the feature of this severe responsibility as to the acts of strangers, unless imposed by the contract itself; and finally, that subsequent English statutes assimilated the two species of estates by attaching the same responsibility to the latter, that obtained at common law in regard to the former, the law esteeming it more just, that, as the tenant in either case had the same and all the remedies against third persons, so he should be subject to the same responsibilities, unless those responsibilities should be provided against by the contract itself. A subsequent statute of Anne relaxed this responsibility in one particular, by relieving the tenant from all responsibility from *accidental fire*, except in cases of special agreement to the contrary, a seemingly very reasonable exception and entirely compatible with the reasons on which the liability was founded, viz: that when the lessee had incurred no blame and had no remedy, he should not be held responsible.

Such, undoubtedly, has been the English law for many generations; and thus matured and made uniform by statute, with the exception of the modification of the statute of Anne, was early adopt-

ed into the jurisprudence of our State, re-enacted by our Revised Statutes, and was the law of this State at the time of the leasing of the premises in question to the agents of the State.

On the night of the 26th, or early in the morning of the 27th May, 1847, after the payment of the first month's rent, and after the Commissioners had become fully invested with the right and the actual possession, and all the legal remedies incident thereto, the buildings were deliberately fired and wholly destroyed by a mob acting openly in defiance of law, "to prevent," as was said, "their being used," i. e. for the humane and necessary purposes aforesaid.

With the foregoing view of the law, if the committee have given, as they think they have, a correct exposition of its principles and provisions, it would, they think, without further facts to enforce the justice of your petitioner's claim, be difficult, by any ingenuity of legal reasoning or otherwise, save by prejudice and declamation, to escape the conclusion, that the State or its officers, were responsible to him for the loss sustained. The State surely ought not, on plea of hardship, to exempt itself from the operation of those principles of legal justice, which she prescribes to all her citizens as just and politic, and by which her courts continually administer justice between citizen and citizen; and the committee have no disposition to recommend the repudiation of those claims against the State, that arise from the ordinary principles of legal justice. They would be happy indeed, if all claims against the State could be thus referred to and confined within the scope of these familiar and legal principles, which are, or should be understood by all.

Nor can be used as an argument against this claim, the supineness and almost criminal indifference of the officers of the State to enforce the remedies against the offenders in question, who might have been, and perhaps still may be identified, and be found to be able, and be made responsible to the State to the full amount of damages, to which the State itself is in justice bound to respond. If the time should ever come when the exigencies of party, or the interest of legal officers shall require, that violence and outrages of individuals or communities should be connived at, or opinions and arguments invented, by which the apprehensions of offenders are to be allayed or their favor secured, in preference to doing justice to less powerful individuals, we hope still to be able to refer it to causes of temporary excitement, and not by a final denial of justice to be compelled to record it as evidence of permanent degeneracy.

There is reason to believe, that though the destruction of the petitioner's property was by nocturnal violence, that the perpetrators were not so careful in their disguises as to secure themselves from legal responsibility to the State, and that among them were men amply responsible, and who might have been made to indemnify the State, if thorough means had been employed for that purpose, and that these may still fear the awakened vengeance of the law, unless the petitioner's claims can be deferred through the present session of the Legislature, until the offenders shall be relieved from civil responsibility by lapse of time. The immediate cause, as we have said, of the excitement, which resulted in the unnecessary criminal destruction of this large amount of property, was an apprehension, that the proposed occupation of these buildings would introduce and diffuse through the community the disease of ship-fever. The buildings were situated just across the East river, in close proximity to more thinly settled portions of the city of New-York, and scarcely more distant from the more densely settled portions of that city on the west, than was Astoria on the east. Now, if this disease were, indeed, so fearfully pestiferous as those who destroyed the petitioner's property to prevent its diffusion, seem to have supposed, how could they hope to escape the contagion, by driving the poor sick emigrants city-ward to inevitable death, for want of wholesome air, medical attention and good nursing, amid the throngs of a crowded metropolis, corrupting its entire atmosphere, and making it one vast pest-house of disease and death! The destroyers of this property, therefore, seem to have been without any moral justification whatever, save their own folly and madness. Whatever speculations may be entertained in regard to the contagious nature of this disease in an impure atmosphere, it seems agreed on all hands, that it is not propagated above a few feet at most in a pure atmosphere. (See Senate document No. 31, 1849, testimony of hospital physicians, Doctors Hasbrouk, Vache, Griscom and Wilson.) The simple fact, that hundreds of patients suffering with this disease, are at any time, and if need be, at all times received into the City Hospital, in Broadway, in the very heart of the city of New-York, without danger, or even without complaint of danger, from thousands who constantly reside in the closest proximity to the Hospital, shows most conclusively how utterly unreasonable were the fears of the people of Astoria. Nor does the testimony of either Drs. Mott, Stevens or Griscom, when divested of all matters irrelevant, point to a different conclusion.

Had the conduct of the petitioner in leasing these premises to the Commissioners for a hospital been marked by any apparent disregard to the health or lives of the inhabitants of the vicinity, it would deprive him to some extent of our sympathies; though it might not afford any sufficient ground to oppose or question his claim still, even then the committee might hesitate to apply to him the epithet which has in some instances been applied to him, "*particeps criminis*," until they should be able to discover that the Commissioners, the other party in the contract, were themselves in some measure participant and chargeable with wrong. When, however, we turn our attention to that quarter and see that the Commissioners were acting fairly, judiciously and humanely, in obedience to the sacred trust committed to them by the state itself, we shall be able to divest ourselves of some share of that prejudice which seems in these halls to have sometimes assailed this petitioner. The petitioner, the evidence is clear, so far from having been actuated by mercenary motives, reckless of the health and lives of the neighborhood, appears to have duly regarded these important considerations; since he positively refused signing the lease till he should have been assured by the paramount authority of hospital physicians, both at Bellevue and at Quarantine, *that no danger whatever could accrue to the neighborhood from the proposed occupation*; see Senate Document 1849, No. 31, pp. 6 and 7, evidence of Drs. Hasbrouk and Vaché, the last of whom has, if we mistake not, been recently appointed to the very responsible duties of acting health officer for the port of New-York. The Commissioners seem to have acted for the best interest of the State and for the cause of humanity, and both parties in good faith; and, having leased to the Commissioners his premises, it was beyond the power of your petitioner to cancel the lease, however much he may have desired it, without their consent.

The inhabitants (mostly not in the immediate neighborhood of the property, but residing in or near the village of Astoria, some mile and a half from the premises) who, if they had consulted their reason and not been impelled by their fears and prejudices, might have seen that they could be no more endangered by a fever hospital at that distance than though the patients should be shut up to die in the city, give unmistakable evidence of a high state of excitement and of a full determination to prevent at all hazards the proposed occupation of the buildings; which determination, left to be clearly apprehended the worst extremes of lawless popular violence. It was now the day preceding to the fire. Judge Taylor, the agent of the Commissioners, requested Mr. Niles to allow his hired man, already on the

premises, to continue there during the night. Mr. Niles subsequently sent down his son to assist in keeping guard and to arrest, perhaps by persuasion, any apprehended catastrophe. But an assault of a hundred men or more was made at midnight and the building totally consumed before day-light. Were it necessary to establish the point of *negligence* on the part of the Commissioners in not taking the proper precautions, which they might have taken, and which your petitioner urged them to take, to protect the buildings by a sufficient police force, and press it into the argument in favor of your petitioner's claim, the evidence might be found in this circumstance: that they did not act with sufficient vigor and promptitude in precautionary measures, which measures might have saved the property. The Commissioners should have reflected that reason and argument avail little with an excited populace. The committee have, therefore, arrived at the conclusion that the destruction of the petitioner's property, under the circumstances of the case, while held under a lease to the agents of the State, is a just ground of claim against the State, and that the amount of damages which he has suffered should be ascertained and paid to him. In coming to this conclusion they have, as they think, been governed by principles of true policy as well as of justice itself.

If, in addition to the necessary delays attending the prosecution of claims against the State for the destruction of property that an individual would be held responsible for in the ordinary administration of justice between man and man, the claimant is to be assailed by prejudice, malevolence, and detraction, and have justice delayed until the remainder of his property is exhausted in fruitless efforts for justice, and with the hazard, too, of a final denial, the State will hereafter, in cases of urgent necessity, be able to relieve itself from the consequence of such mistaken policy only by submitting to payments in advance at greatly enhanced rates; realizing in this, the truth and wisdom of the old maxim, *that honesty is the best policy*. The committee, make the recommendation above, on the ground of that specific obligation which the State as a contracting party assumed by leasing and occupying the petitioner's property as quasi tenants, by its own officers, and not on the general political duty of the State, by good laws and efficient police, to protect the property of all its citizens. This general duty the best governments are not always able to perform, and its failure to do so has never been regarded as a ground of pecuniary obligation on the part of the government. To this general duty and principle, are to be referred the case of the destruction of the Ursuline convent by rioters, at

Charleston, Mass., that of the Spanish consul at New Orleans, and numerous other examples. The committee have not come to this conclusion without giving ample time to the opponents of the claim, and duly weighing every argument or suggestion presented to them against it; among the principal of which, it was claimed and pressed upon the committee by counsel learned in the law, that when the petitioner bought the property, he did it with the express understanding that the houses were to be removed, so that the grounds might be used for other purposes, and though he afterwards bought the grounds to relieve himself from that obligation, and vainly supposed he might as well buy the lands his houses stood on, as other lands to put them on, and the vender thereby relinquished all right to insist on the removal, yet that such arrangement did not compromise the sovereignty of the mob, who might still treat it as "*res inter alios actæ*," and insist upon a right to enforce a specific performance. Except the fact that one and the least valuable of the houses stood on Seymour's land, which the petitioner, as between him and Seymour, was bound at some time to remove, unless he should find it for his interest to buy that lot also. The committee find nothing in the evidence to give any importance to this principle of public law, except the interest that attaches to it as a matter of mere theoretic.

It has also been insisted before your committee, that your petitioner's property was improved in value by the destruction of these buildings. In proof thereof, it has been stated that he, some six years afterwards, sold the land alone, for more than the land and the buildings originally cost him. This suggestion cannot, in any manner, apply to his claim for the destruction of the house situated off his own premises, and when it is considered that the other two houses, in their original erection some twelve years previous, cost about twenty-five thousand dollars, there is no just reason to conclude that the combined value of both houses and lands might not greatly exceed the value of the lands alone. Besides, if the fact were so, the petitioner, and not the State, should enjoy the benefit of this judicious and fortunate investment of capital, without being chargeable to those who suffered the fixtures to be destroyed with the subsequent rise in the value of his real estate, which might be owing to causes entirely different, which, in the vicinity of large cities like New-York, is, by no means, an unusual occurrence. The cost price would often be a very unsafe criterion of value after a few years, especially after the land has been forced into market by some caprice in the policy of an improvident city corporation. But, as this objection relates

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rather to the *amount* of damages than to the *principle* on which the claim is founded, the committee do not propose to discuss the subject further, assured that that the State will never condescend to employ such arguments to the prejudice of any of its citizens.

The agents of the State paid the petitioner his two months rent according to the contract as they were bound to do, even if the building had been destroyed by act of God, or public enemies. He has received no other compensation. Such rent, therefore, can have no bearing on his claims for the destruction of his property under circumstances that make the State responsible.

Even if the petitioner might have a doubtful remedy against the Commissioners, without coming in the first instance to the State itself, which, on the authority of *Hodgson vs. Dexter*, 1st Cranch, 345, is very doubtful; and might thus compel the Commissioners to assume the burden and encounter the delays attending an application to the Legislature for indemnity. The objection is altogether too technical for the State to dignify with its sanction, since the claim with all its accumulations of costs and expense, would, at the last, come back upon the State itself. Besides, your committee are of opinion that this objection could not be sustained even as a technical question in a contest for a bill of costs. The Commissioners might perhaps, by the terms of the contract, be holden personally for the rent, on the ground of their express promise as individuals, without keeping or bringing their character as public agents distinctly into view, by the terms of the contract, which made them quasi sureties for the State and personally responsible to the petitioner for the rent expressly stipulated.

But in a suit for *waste*, which does not rest on any express obligation contained in the contract, but arises by law out of their relation to the property, as occupants or tenants, the character of that occupancy by them, not as individuals, but as public officers and for public purposes, might be shown, and would effectually shield them from personal responsibility. Thus, the obligation originally and solely rests upon the state itself.

The history and the provisions of the law on the subject of waste in general, will be found fully and minutely discussed and the views of your committee in most respects fully sustained, in the opinion of Hon. J. C. Spencer, in Senate document No. 82, 1850.

Your committee are also aware that the petitioner's claim has been referred to the Attorney-General; and your committee having arrived at a conclusion at variance with his opinion, they feel it due to themselves, as well as to that officer, to extend this report by a respectful reference to that opinion, its reasoning and conclusion. If your committee were alone in their dissent from that opinion, the high position of that officer might lead them to distrust the correctness of their own conclusions. The high source of this opinion, and their reverence for official station, are not the only source of their embarrassment. It would have been some relief to them if the Attorney-General had cited some authority in support of his opinions, or at least indicated in some way from what sources his opinions were derived.

As to the *negative* position, that "he knows of no principle of law, which would enable the claimant to recover damages of the State for the destruction of these buildings, if the State could be sued therefor as an individual or corporation," *that appears to rest on the very best authority.*

"That the contract was a lawful one and one which the parties had a right to make, is a mere assertion, which it is not the petitioners wish to controvert."

That "there was no covenant on the part of the lessee against the lawful or unlawful acts of third persons, nor any covenant to restore the buildings in good condition at the end of the time," is equally true; but this does by no means support the inference derived from it. even if the agents of the State could be charged with no neglect, and the questions were, which of two innocent parties should suffer the loss. It would seem to be no great enormity, that the State should leave the question to be settled by general rules as all other questions of property are to be settled. The lessee may enlarge his liability by express covenants beyond the general liability imposed by law, so as to make himself an insurer against public enemies or providential casualties, and losses. The office of covenants generally in a lease is just the opposite of what is assumed. Their office is to protect the lessee by express agreement from the general liability, which the law otherwise imposes on the tenant. It was easy so to construct the lease as to leave all risks against the acts of third persons with the lessor, although the law would still transfer to the tenant all the actions, by which trespassers during the term could be punished. The little time and attention bestowed in penning this opin-

ion is, perhaps, as fully proved by the hasty assumption of the facts, necessary to be embraced in a true statement of the case, as by the omission of all reference to authority. It is not a fair presentation of the case, to assume the destruction of the buildings by an incendiary without any reference to the *motive that induced it*. It was the *purpose for which the buildings were to be occupied* by the State that involved them in this destruction, and, as that was a legal and necessary purpose, the State ought to have employed necessary force to prevent the disaster, or its legal remedies to recover damages, for the trespass. The destruction of the buildings without reference to the manner of the occupation, by the malice of an irresponsible midnight incendiary, unknown and undiscoverable, is stating an extreme case, and very different indeed from a destruction by ill-concealed parties, excited and countenanced by men of known responsibility, amply able to respond to the State for the damages sustained, and who owe their impunity, and the State owes the loss of its own indemnity (as there is too much reason to believe) to the influence which the political and pecuniary standing of the offenders exerted on those, whose duty it was to have brought them to justice.

The labor and difficulty of examining this opinion would have been less onerous, if *any one* hypothesis had been *based in fact*, or if assumed without that basis, it had been *adhered to* long enough to carry out all its consequences before it was abandoned, and a *different one* substituted; the latter hypothesis seems to assume, that these buildings were justly consigned to destruction on the ground, not that they were, for they were not yet, occupied; but, that they *might become* a nuisance. If the apprehension that a building is *to be converted* into a hospital makes it a nuisance and authorizes its destruction, then a hospital filled with the sick is a greater nuisance, and may be destroyed also, and, if a prospective hospital on Long Island farms, then an *actual* hospital in the city would be a still greater nuisance, and might be abated. Nor are we informed where the unfortunate sick could find an asylum or shelter short of Pottersfield. If a *fever* hospital is a nuisance, a *cholera* hospital must be a nuisance also, and the sick themselves are a nuisance. The summary destruction of property by violence is only a concurrent remedy, and we shall be better convinced of the soundness of this doctrine of nuisance, when we see the criminality of keeping a hospital or intending to provide one, punished by law in some form either civil or criminal.

The assumption, that a two-third vote is required to pass a law for the petitioner's relief, is a begging of the question. It assumes, that

the claim is not a good one, and therefore, it ought not to pass only by a two-third vote. If the premises are correct it ought not to pass at all. If it is a valid claim a majority vote is all that is required to pass it.

The committee believe that much of the opposition that has been made to the petitioner's claim heretofore, has been derived from a wide discrepancy of views between him and others, as to the *amount of damages* he has sustained, rather than from the *principle when candidly considered*, on which his claim is founded. The principle of that claim the committee recognise as just. The amount of damages which he may have sustained, depends on a more extensive investigation than they can consistently with their other duties bestow upon the subject, and it seems to them a fit subject to be determined by a reference, or some other mode of enquiry.

And they, therefore, ask leave to introduce a bill for the petitioner's relief.

State of New-York.

No. 33.

IN SENATE, FEB. 11, 1852.

COMMUNICATION

**From the Inspectors of State Prisons in relation to the
Report of the Committee appointed to examine the
State Prisons.**

TO THE LEGISLATURE:

The undersigned, Inspectors of State Prisons, have deemed it a duty which they owe to themselves, to the interests committed to their charge, and to the people of the State, who are justly solicitous in relation to the proper management of our penal institutions, to submit a few considerations in relation to the report of the select committee appointed at the last session of the Legislature, "to examine the several State prisons." We consider this course necessary from the fact that the extraordinary conclusions of the committee have found their way into the public prints, and have been generally circulated through that channel, while the evidence on which these conclusions are based, is allowed to remain buried in the appendix to the report, and is wholly unknown to the community at large. Had the evidence taken by the committee been published and read as extensively as the report, we should have been content to let them go before the public together, without one word of comment or reply.

The conclusions of the committee, in many important particulars, do not seem to us to be warranted by the facts, as any one can determine by carefully reading the proofs; while many matters to which they refer as subjects of complaint, are susceptible of the clearest

explanation, and the witnesses were within the reach of the committee, and would cheerfully have responded to their summons to testify.

We regard the report as not entirely candid in another particular. Many important matters to which they refer, connected with the discipline of the prisons, are given without dates; and subjects of complaint which have years ago undergone judicial as well as legislative investigation, are given as present and existing evils, for which the Inspectors now in office are held responsible. The public may be somewhat surprised to learn that the arguments, and opinions, and conclusions of the committee are drawn in many instances from transactions that have almost passed out of the memory of this generation, and that in others they have but slight foundation.

In many cases also, the statements of the report are inaccurate, and in others contradictory.

The undersigned, therefore, propose, as briefly as possible, to call attention to some of the matters contained in the report, and beg leave to submit such statements and observations in relation thereto, as truth and justice may seem to require.

The subject of the inspection of the prisons, and the policy of continuing the present arrangement for that purpose, we do not propose to discuss. We do, however, take the liberty to question the fairness and justice of the remarks of the committee on this subject, and can scarce avoid the belief that many of their propositions, if not resting upon a suppression or perversion of the truth, are at least a wide departure from the evidence before them.

On page 8 of the report, the committee, in speaking of the Inspectors, make the following statement: "And there for their own convenience, they allot the three prisons among themselves, each taking one, and each by this arrangement being the absolute governor of that one, subject only to the control of his associates, which by this arrangement is merely nominal."

The committee here leave it to be inferred that this is an arrangement of the Inspectors, adopted for their own convenience, to the injury of the prisons, and assert that "numerous and serious mischiefs" flow from this state of things.

It is a sufficient answer to this statement, to say that the law requires it to be done, and the Inspectors are not at liberty to disregard it, even "for their own convenience."

Section 33, of chapter 460, of the Laws of 1847, provides that "the Inspectors shall hold their first joint meeting on the first Wednesday in January next, (1848,) at the State Prison in Sing Sing, and at such meeting shall choose one of their number as president of the board for the ensuing year, and *shall assign to each Inspector the special charge and supervision of one of the prisons to be designated, for the ensuing quarter of the year; and they shall make a similar assignment and designation at the commencement of each quarterly term thereafter.*"

Under this section of the statute, it is difficult to conceive how the Inspectors can be charged with making this designation and assignment, *for their own convenience*, or how they can avoid doing so, even if it does result in "mischiefs" that are "serious and numerous."

Again, on the same page, the committee refer to the evidence of "one of the Inspectors," and in doing so, have misstated it in an important particular, and omitted a material explanation, that common fairness requires should have been given. The Inspector referred to, entered upon the duties of his office on the first day of January, 1851, and his examination before the committee was on the 15th day of September following. At that time there had been but three quarterly meetings at each of the prisons by the board of Inspectors, all of whom had been present at each meeting, with the exception of the January session at the Clinton prison. For that omission an excuse was offered, and there was no business to be transacted there, that required the attendance of more than a majority of the board.

Again on page 9, the committee say: "This Inspector was not able to tell of the difficulties or disorders at his prison, which others described, and for a very good reason."

With all due deference to the Hon. committee, we venture to say, that there is no evidence given, or that can be procured, showing that there were "difficulties and disorders" in the prison during the term the Inspector referred to, had then been in office. No witness has testified to any such facts, nor did any "difficulties and disorders" exist, except such as are incident to, and inseparable from the

ordinary discipline and government of a convict prison. The committee undoubtedly referred to past transactions, the history of which has been repeatedly given, and with which the present Inspectors had nothing to do, and over which they had no control.

The committee also say on page 9, that "it appears that the contractors are allowed to fix the amount of work which each convict shall perform; that complaints are made by the prisoners that they are overworked, sometimes to an injurious extent, that these complaints have sometimes been attended to by the subordinate officers, *but by the Inspectors never.*"

This assertion of the committee is not only untrue but is contradicted by the evidence which they have taken. In no single instance have the Inspectors or the agent allowed the contractors to fix the amount the men should do for a day's work. This has been and still is a subject of controversy, and the Inspectors have instructed the subordinate officers of all the prisons to require no more of the men than they can reasonably perform. It is true that the contractors ask for and demand a certain amount of work from the men as a day's work, but it is not true that they are allowed to fix the amount, or that the Inspectors or agents have ever consented to their doing so. This will fully appear from the evidence given.

That the Inspectors never attend to the complaints of convicts of being overworked, to which charge the committee seek to give prominence by printing it in italic letters, is an assertion that wants all kind of authority. No witness has sworn that these complaints are neglected, no convict has asserted it, and the committee have not even the excuse of rumor on which to base it. On the other hand, "One of the Inspectors" was interrogated in relation to this very matter, and testified that he personally investigated the only complaint ever made to him on the subject. (See page 115 of the report.) The declaration of this committee, in this particular, is contradicted by their own proofs, and in making it, they must entirely have overlooked the evidence referred to.

The committee further charge, at pages 9 and 10, that "in two cases, one at Auburn and one at Sing Sing, that contractors have been allowed to hire the labor at less than the contract price, and in one of the cases under circumstances which create some distrust as to the integrity of some of the officers."

The transactions here referred to, took place before either of the present Inspectors came into office, although one of the contracts continues to the present time. The committee were informed that these matters could be satisfactorily explained, and the witnesses were named, but the committee neglected to call them, although living in the place where their investigations were held.

In relation to the contract at Auburn, we learn that the men were working under an agreement with a former Inspector, which we did not feel authorized to disturb, and was entered into under the following circumstances: The present contractor for the shoemakers at Auburn, had agreed to take and employ the men received, for 65½ cents per day, and was required to take no others than such as were sentenced to that prison at the time of their conviction. After this contract was entered into, the shoe contractor at Sing-Sing failed, and his men were left on the hands of the agent without employment and were earning nothing. They had never received at Sing Sing but 40 cents a day for these men, and an arrangement was entered into between the Inspectors and the contractor at Auburn, by which the latter was to pay one-half the expense of transferring them, and fifty cents per day for their labor. Under these circumstances, this was regarded as a highly favorable arrangement for the State, and good faith requires that it should be observed on the part of the agent and Inspectors.

From witnesses who know the facts, we are also informed that the transaction referred to at Sing Sing, was of a similar character. Contractors on the railroad were employing convicts upon their work at a specified price, and were not bound to employ any greater number, over twenty, than they desired. In the winter, when the weather was cold and the days were short, a contractor in the file-business failed, and left upon the hands of the agent about one hundred men, for whom he could not furnish any employment. They were lying idle about the prison, or employed at no profit, and were offered to the contractors on the railroad. These contractors refused to receive the men at the price they were paying for the others, but offered to take them at a lower sum. This was agreed to by the Agent and Inspectors, rather than to allow the men to remain idle, and the contractors paid for their services precisely what they agreed to, and the men were employed only about four weeks at the reduced price.

If this transaction was of a character to "create distrust as to the integrity of some of the officers," the inquiry is suggested, why

was it passed over so lightly? One of the railroad contractors and an Inspector, both of whom were familiar with the transaction in all its details, reside in the village of Sing Sing, and were at home during the sessions of the committee at that prison; and yet neither of them were called upon for any statement or explanation. The committee were content with ascertaining an isolated fact, without inquiring for reasons, or affording an opportunity to give them, or taking into consideration at all any of the attending circumstances. Upon this state of things they base an insinuation against "the integrity of the officers," when, had an opportunity been given, the whole matter would have been explained to the entire satisfaction of every one interested in knowing the truth.

Another subject of complaint, and which the committee thought of sufficient importance to be twice repeated at large in the report, is found in relation to men who are rated at half-pay. The testimony of the Agent at Auburn, explains fully this whole matter, and it is surprising that it was overlooked by the committee, who *assume* a state of facts upon which to base their argument, and from which they drew their conclusions.

In the first place, there must necessarily be in all the prisons, a large number of disabled and incompetent men. Our convicts are drawn mostly from that class in society whose health is impaired, and whose constitutions are broken, by a reckless and dissolute life, from which condition it requires years of abstinence and care to recover. It may possibly attract attention and remark that, while the committee complain that the contractors are allowed to overwork the men in their service, they should at the same time complain that these poor, diseased, and broken creatures were not also compelled to perform the labor of an able bodied man.

The committee express surprise that, at the Auburn prison, "out of 636 men let to contractors, 219 were rated as invalids." This is not exactly the case. They are rated as *half-pay* men, not as *invalids*. Upon many of the contracts men are employed at various prices, *by the terms of the agreement*, which the committee would have seen by examining the contracts, for a very proper and obvious reason. Men who employ mechanics, usually expect to pay higher wages than they do for a mere laborer without skill, as a mason receives more than the hod-carrier who tends him. This condition of things has been regarded heretofore in making contracts in the prisons, and whether wisely or not, our predecessors have seen fit to

adopt it, and it is not in our power to alter it until the contracts expire. The contractors will pay a less sum in the aggregate if all the men are rated alike, but the present arrangement has been found most advantageous, as these half-pay men can usually be supplied from the boys and disabled men. That the number of incompetent men should also be large, should not have been matter of surprise to the committee. They have furnished an important piece of evidence on this subject in the profound and elaborate communication of their witness, Dr. Fosgate. On page 80 the Dr. says: "To show of what kind of material the population of this prison is composed, I will state that, of the 580 convicts received to prison and examined by myself during my connection with it, 230 came in more or less sick; 190 had sustained mechanical injuries, 83 were consumptive or had consumption in their families, 23 were ruptured, 5 insane, 3 epileptic, and the remaining 38 were adjudged sound." And yet, with this fact plainly before them, that out of 580 convicts received at the Auburn prison, *only* "38 were adjudged sound," the committee express surprise at finding 219 rated as invalids out of 636.

In this connection, the committee conceive that the Inspectors ought to perform all the duties which have heretofore devolved upon the other officers of the prison, and in their recommendations have marked out labors for them that no one man could perform during the ordinary period of a life time. If the views of the committee in relation to the duties of the Inspectors be correct, then those duties have been very imperfectly prescribed in our statutes, and most men are deficient in their physical organization and capacity to perform them.

In regard to the "Prison Association," which receives favorable notice at the hands of the committee, the Inspectors have heretofore given their views in another place, and we deem it unnecessary to repeat them. We will take the liberty, however, to suggest that the plan of the association and its proposed operations, are an anomaly in the government of our public institutions. The Inspectors are now charged with this duty, in relation to the prisons, acting under an oath of office, amenable for their conduct to the Governor and Legislature, and responsible to the whole people for the proper and faithful management of the great interest in their hands. The adoption of the recommendations of the committee, would subject the Inspectors to the interference and control of a body of men acting under no restraint, responsible to no power, and governed solely by

their own interest and wishes. The proposition is simply preposterous, and in the opinion of the Inspectors, ought not to be encouraged.

At page 22 of the report, the committee complain that the cells required to be erected by section 44, page 603, of the Laws of 1847, have not been constructed. The section referred to provides that "it shall be the duty of the Inspectors, provided there shall be funds at the respective prisons sufficient to warrant the expenditures, to cause to be erected at as early a period as practicable, in each of the State prisons of this State, separate rooms or cells, not less in their dimensions in the clear, than 996 cubic feet." The section also provides that they shall be secure, and prescribes the number to be erected at each prison. A subsequent section provides for confining in these cells, refractory and incorrigible convicts, and that when a convict is so confined, he shall be employed if practicable, "at the same trade or business he shall have been employed in immediately previous to such solitary confinement."

A satisfactory answer to this complaint may be found in the fact, that never since the passage of the law, has there been "funds at the respective prisons, sufficient to warrant the expenditure." But there is another and more conclusive excuse arising from the practical impossibility of carrying out the intention of the Legislature, in requiring the convicts to be employed at their usual occupation while in solitary confinement. One moment's examination of the work in the several prisons, will demonstrate the impracticability of this idea.

At Clinton, the principal business in which the convicts are engaged, is raising and separating iron ore, and manufacturing lumber. At Auburn they are engaged in manufacturing carpets, taking the material in its raw state, and cleansing, picking, carding, spinning, coloring, and weaving it; in making barrels, carpenters' tools, cabinet ware, harness trimmings, and heavy machinery, including steam boilers and steam engines. At Sing Sing the work is of a similar character, except such as is performed in the stone quarry and lime kiln.

In the opinion of the Inspectors, it would require a room of somewhat larger capacity than those which the law prescribes, to accommodate a saw mill or spinning jack, and that the business of mining and burning lime, or making steam boilers might not be made profitable in a room of the dimensions of 996 cubic feet.

For purposes of solitary confinement, without work, there have always been a sufficient number of cells at the prisons, and any others for this purpose have heretofore been deemed unnecessary. These facts were all understood by the Inspectors at the time of the investigation, and during the short time that one of them had been in office, curiosity had not led him to inquire whether the other absurdity had ever been attempted.

At page 14, the committee say, "the annexed testimony shows a number of cases in which prisoners have been harshly and cruelly treated by the officers, to such an extent that health has been injured in some instances, and in one where there is much reason to believe that life was shortened."

In relation to this charge, which extends over an indefinite period of time, an examination of the evidence will show that the collection of *facts* is extremely meagre. In the depositions of some of the witnesses, there is an abundance of what is called "hearsay" testimony. In the neighborhood of all the prisons, rumor is ever busy, and the public ear is always full of what is said to be transpiring within the prison walls. The committee themselves have borne testimony to the unsatisfactory nature of this kind of proof, as at page 58 they say, "in a great majority of cases your committee believe these rumors and charges to be entirely baseless or gross exaggerations." This admission shows the necessity of examining the evidence taken before adopting entirely the conclusions of the committee, and by that evidence, so far as it embraces *facts*, sworn to as being within the knowledge of the witnesses, the Inspectors and other officers of the prisons are entirely willing to be judged.

In another place, the committee have, however, overlooked the charge of ill-treatment which they have permitted to attach to the present officers of the prisons, in the passage of their report just quoted. At page 36, they say, "*In the main, the benevolent spirit of our laws on this topic has been carried out, and has operated beneficially. All agree in saying that the prisoners are better, more contented and cheerful under the present humane system, than under the harsh one of mere force, which formerly prevailed.*"

In addition to this, the committee at Auburn examined several discharged convicts, and almost without exception, they stated that they had been well treated and had no complaints to make.

The undersigned do not deem it improper to state the manner in which the investigations of the committee were conducted. Their meetings were held without notice to us, and so far as we are informed, without notice to any of the prison officers or any other persons. Their proceedings were mostly in private, with only a single witness present at a time, and no other examination had, than such inquiries as the committee saw fit to make. To our knowledge, their objects were never explained or made known, and we were never asked for proofs or explanations in relation to any specific matter, further than appears in the reported testimony.

We do not make this statement in a spirit of complaint, for we consider the committee had a right to proceed in such manner as their judgment approved. We cannot, however, forbear the remark, that in our judgment the course adopted was not favorable to eliciting the whole truth, was calculated to prevent the necessary and proper explanations, and the result of which has been to create impressions against the public officers of the prisons, upon a strictly *ex parte* investigation, without notice of the charges made against them, or the privilege of being heard, except in the partial manner afforded by the action of the committee.

In regard to many other matters in the report, which are peculiarly the province of the committee, as embracing only their opinions, the undersigned have no desire to indulge in comments. It is only where we think the committee are in error, and have done injustice to others, unintentional perhaps, that we have felt called upon to interfere with the proper explanations. If it is the design to found any legislation upon this report, we are clear in the conviction, that in calling the attention of the Legislature to the topics of this communication, and the *evidence* taken before the committee, we have performed an acceptable service, even if we have failed to correct many misapprehensions into which the committee have fallen.

All of which is respectfully submitted.

DARIUS CLARKE,
WM. P. ANGEL.

February 7, 1852.

State of New-York.

No. 34.

IN SENATE, JAN. 12, 1852.

ANNUAL REPORT

**Of the Executive Committee of the State Normal
School.**

TO THE LEGISLATURE:

Pursuant to the provisions of the act, chap. 311, of the Laws of 1844, the undersigned have the honor to state that Franklin Townsend has been appointed one of the Executive Committee for the care, management and government of the Normal School, in the place of the Rev. Dr. William H. Campbell, resigned. We herewith transmit the Annual Report of the Executive Committee of the State Normal School, which has been received and approved; which report also contains a full statement of the receipts and expenditures of money under the same act.

CHRISTOPHER MORGAN,

Superintendent of Common Schools.

G. Y. LANSING,

Chancellor of the University.

REPORT.

*To the State Superintendent of Common Schools,
and the Regents of the University :*

The executive committee of the State Normal School,

RESPECTFULLY REPORT :

That the present condition of the institution will be best understood, by noticing under distinct heads, such matters as may seem most worthy of particular notice. They are accordingly so presented.

Attendance.

The following table will show the number of pupils during each term, and also the number of graduates :

			<i>Graduates.</i>			
			Pupils.	Males.	Females.	Total.
First	{	1st term,.....	98	0	0	0
year.		2d "	185	29	5	34
Second	{	3d "	197	30	17	47
year.		4th "	205	37	26	63
Third	{	5th "	178	27	19	46
year.		6th "	221	37	25	62
Fou'th	{	7th "	198	25	25	50
year.		8th "	208	17	29	46
Fifth	{	9th "	175	22	21	43
year.		10th "	196	19	18	37
Sixth	{	11th "	223	12	20	32
year.		12th "	219	21	13	34
Sev'th	{	13th "	232	12	14	26
year.		14th "	236	11	17	28
			<hr/>	<hr/>	<hr/>	<hr/>
			2,771	299	249	548
			<hr/>	<hr/>	<hr/>	<hr/>

The whole number of pupils who have enjoyed the advantages of the school, for a longer or shorter period, is 1,638.

It will be noticed from the above table, that the whole number of students in attendance, has been larger during the past year than in any previous one.

Classification of Students.

The school is divided into four classes: sub-juniors, juniors, sub-seniors and seniors, making a two years course of study. These classes are arranged in divisions to suit the convenience of recitations. The relative standing and advancement of the pupils will be seen from the following table, which shows the classification of the 231 students, who now compose the school, being the fifteenth term, or the first one of the eighth year.

	Males.	Females.	Total.
Seniors,.....	18	19	37
Sub-seniors,	21	31	52
Juniors,.....	25	64	89
Sub-juniors,	9	44	53
	—	—	—
	73	158	231
	==	==	==

Course of study.

The following is the course of study for the school; and a thorough acquaintance with the whole of it, on the part of the male pupils, is made a condition of graduation.

SUB-JUNIORS.

Reading,.....	<i>Mandeville.</i>
Spelling.	
Elementary Sounds of the Letters,.....	<i>Page's Normal Chart.</i>
Writing.	
Geography and Outline Maps,.....	<i>Mitchell.</i>
Intellectual Arithmetic,.....	<i>Colburn.</i>
Elementary Arithmetic,	<i>Perkins.</i>
English Grammar,.....	<i>Brown.</i>
History,	<i>Worcester.</i>
Elementary Algebra, begun,.....	<i>Perkins.</i>

JUNIORS.

Intellectual Arithmetic,.....	<i>Colburn.</i>
Practical Arithmetic,.....	<i>Perkins.</i>
Geography and Map Drawing,.....	<i>Mitchell.</i>

Writing.

Elementary Sounds of the Letters,.....	Page's Normal Chart.
Reading,.....	Mandeville.
History,.....	Worcester.
English Grammar,.....	Brown.
Elementary Algebra,.....	Perkins.

SUB-SENIORS.

Spelling.

Book-keeping,.....	Preston.
English Grammar, reviewed,.....	Brown.
Higher Arithmetic,.....	Perkins.
Geometry, six books,.....	Perkins.
Constitutional Law, with select parts of the Statutes of this State, most intimately connected with rights and duties of citizens,.....	Young's Science of Government; Revised Statutes.

Drawing.

Elementary Algebra, reviewed,.....	Perkins.
Natural Philosophy,.....	Olmsted.
Perspective Drawing,.....	Lectures.
Mathematical Geography and use of Globes,.....	Lectures.

SENIORS.

Higher Algebra, Chaps. VII and VIII, (omitting Multinomial Theorem, and Recurring Series,).....	Perkins.
Plane Trigonometry, as contained in.....	Davies' Legendre.
Land Surveying,.....	Davies.
Rhetoric,.....	Lectures.
Aids to English Composition,.....	Parker.
Human Physiology,.....	Cutter.
Astronomy,.....	Robinson.
Intellectual Philosophy,.....	Abercrombie.
Chemistry,.....	Silliman.
Agricultural Chemistry,.....	Norton's Elements of Scientific Agriculture.
Moral Philosophy,.....	Wayland's Elements.
Art of Teaching,.....	Lectures, Theory and Practice of Teaching, and Exper. School.

Lessons in Vocal Music are given to all.

Webster's Unabridged Quarto Dictionary is the standard in the Normal School.

The same course of study, omitting the Higher Algebra, Plane Trigonometry, Surveying and Astronomy, must be attained by females, as a condition for graduating.

Any of the pupils who desire further to pursue mathematics, are allowed to do so, after completing the above course of study.

Pupils on entering the school are subjected to a thorough examination, and are classified according to their previous attainments. The time required to accomplish the course, depends upon the industry and talents of each individual scholar,

The revision of the course of study spoken of, by the committee in their last annual report, has been carried out during the present school year in a manner generally satisfactory. They are now engaged in a careful examination of the various text books that are in use, with a view to any alteration that may seem proper and necessary. While they are of opinion, that as a general rule, there should be as few changes in these as possible, still there are occasions, where from the inattention of one author or the decided superiority of another, alterations are imperatively required. Such, however, will not be made except on the most satisfactory grounds.

The Building.

During the school year comprised in this report, or in other words, during the year ending September, 1851, nearly three hundred dollars have been expended in such ordinary additions and repairs as would seem in a measure absolutely necessary to keep so large a building as the State Normal School in proper order. A more thorough examination of the same was made during the summer vacation, and it was ascertained that additional repairs and improvements were required. These were ordered, and at the same time directions were given for the introduction of water and gas into the buildings. The expenditures consequent on these, will absorb a large portion of the balance reported to be in the hands of the treasurer on the 14th of September, 1851.

Indian Pupils.

Of the nine pupils reported to be in the school at the date of last report, two of the males have left, and their places have been filled by the appointment of two other males of the Onondaga tribe. The whole number has been three females and six males. They are all in the Normal department. For their names see Document A.

The Executive Committee desire to state, that although the liberal appropriation of the Legislature is one thousand dollars annually, for the above purpose, still they do not draw from the treasury, beyond the amount actually required, as ascertained by

the current accounts. Thus the amount drawn for the year 1850-51, amounts only to \$793.10.

FACULTY.

During the year ending Sept. 14, 1851, the faculty remained the same, as in the last report. As however, several changes have subsequently occurred, in consequence of resignations and appointments, a full list of the present officers is given below, with their duties.

George R. Perkins, A. M.,
Principal.

William F. Phelps, A. M.,
Superintendent of the Experimental School.

Silas T. Bowen, A. M.,
Teacher of Intellectual and Moral Science and Rhetoric.

Sumner C. Webb,
Teacher of Arithmetic and Bookkeeping.

Truman H. Bowen,
Teacher of the Science of Government, Grammar and Vocal Music.

Samuel W. Johnson,
Teacher of Physiology, Natural Philosophy, and Chemistry.

John Felt, Jun.,
Teacher of Grammar and Algebra.

Elizabeth C. Hance,
Teacher of Reading and History.

Ann Maria Ostrom,
Teacher of Drawing History and Geography.

Change of Vacations.

The change in the vacations, stated to be established in the last report, has been carried out, without any of the injurious results that were feared by some, and certainly without any diminution in the number of pupils.

Library and Apparatus.

According to a report from Mr. Webb, librarian, bearing date July 31, 1851, the miscellaneous library remains as heretofore reported, with an addition of ten volumes and one pamphlet. The total will therefore be 744 bound volumes, and 111 unbound magazines and other pamphlets.

There have been added to the text book library during the year, by purchase 44 volumes, and by donation 108 volumes, adding these to 4,519 volumes, mentioned in the last report as fit for use, the total will be 4,627 volumes.

The chemical and philosophical apparatus continues in good order, and additions have been made to the same, from time to time as they were needed.

The Executive Committee have carefully carried out the plan of requiring inventories to be kept of all the books and apparatus belonging to the institution, and of a strict examination and comparison of the same, through one or more of their number.

Experimental School.

This school is in a flourishing condition, under the efficient superintendence of Mr. W. F. Phelps. Its seats remain constantly occupied.

Resignation of Rev. William H. Campbell, D. D.

During the last summer, the Rev. Dr. Campbell, a member of the committee at the first organization of the school, and constantly charged with the important duties relating to it, resigned his place, in consequence of receiving a distinguished appointment in the Theological Seminary of the Reformed Protestant Dutch church. His absence is sincerely regretted by his associates. Along with an intimate knowledge of the essentials of instruction he combined a high sense of moral duty, and perfect frankness in the interchange of opinions. He has done much to form and model the State Normal School, into its present career of usefulness.

A statement of the receipts and expenditures of the Normal School from Oct. 1, 1850, to Sept. 1, 1851, (this last alteration becoming necessary from the change in vacations,) is herewith subjoined, and the vouchers for every item are in the possession of the committee.

All of which is respectfully submitted.

GIDEON HAWLEY,
CH. L. AUSTIN,
T. ROMEYN BECK,
FRANKLIN TOWNSEND.

I approve the above report.

CHRISTOPHER MORGAN,
Superintendent of Common Schools.

Albany, December 22d, 1851.

New-York State Normal School in account with the Executive Committee.

1850.	Dr.	
Oct. 1. To balance in Treasurer's hands at this date,		\$1,832 04
1851.		
Sept. 15. Received from the Superintendent of Common Schools the annual appropriation for support of State Normal School to Oct. 1, 1851,.....		10,000 00
Received from Comptroller an appropriation made in 1850, for fuel, &c.....		500 00
Received from Comptroller for support of Indian pupils,.....		793 10
Received for tuition in Experimental school during the year ending Sept. 14, 1851,		948 00
Received from the principal, mileage not required,		5 56
Received from librarian, for books lost,...		1 94
		<u>\$14,080 64</u>

1851.	Cr.	
Sept. 15. By cash paid during year for insurance on building, fuel, cleaning, janitor's wages and other incidental expenses, from Oct. 1, 1850, to this date,		\$1,098 84
By cash paid for additions and repairs to building,		299 34
By cash paid for stationery, library, text books, apparatus, chemicals, &c.....		321 19
Carried forward,.....		<u>\$1,719 37</u>

Brought forward,.....	\$1,719 37 ..
By cash paid for support of Experimental school,.....	924 10
By cash paid for board of Indian pupils,..	793 10
“ “ mileage of students,....	994 60
“ “ salaries of teachers,....	6,755 00
“ balance in the hands of the Treas- urer Sept. 14, 1851,.....	2,894 47
	<hr/>
	\$14,080 64
	<hr/>

Owing to the change in the terms, the year commences Sept. 15; the date, as above, is con-
cerned to it.

DOCUMENTS

ACCOMPANYING THE ANNUAL REPORT OF THE EXECUTIVE COMMITTEE.

- A, Annual Register and Circular of the State Normal School for the year ending July 31, 1851, with the names of the Executive Committee, faculty and pupils, and a list of the graduates for the same period; also an account of the qualifications for admission, the sums allowed for travelling expenses, and other matters important to be understood by the pupil and others, with the form of the diploma granted to graduates.
- B, Full programme of the class exercises, as adopted at the beginning of the year.
- C, Lithographic engravings of the building, and arrangement of the rooms in each story of the same.
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(A.)
ANNUAL
REGISTER AND CIRCULAR
OF THE
STATE NORMAL SCHOOL,
ALBANY, N. Y.,
FOR THE YEAR ENDING JULY 31, 1861.

EXECUTIVE COMMITTEE.

HON. CHRISTOPHER MORGAN,
Superintendent of Common Schools,
CHAIRMAN.

HON. GIDEON HAWLEY, LL. D.,
Albany.

T. ROMEYN BECK, M. D. LL. D.,
Albany.

CHARLES L. AUSTIN, Esq.,
Albany.

REV. WM. H. CAMPBELL, D. D.,
Albany,
SECRETARY AND TREASURER.

FACULTY:

GEORGE R. PERKINS, A. M.,
Principal and Professor of Mathematics.

WILLIAM F. PHELPS,
Superintendent of Experimental Department.

DARWIN G. EATON, A. M.,
Teacher of Physiology, Mathematics, &c.

SILAS T. BOWEN, A. M.,
Teacher of Int. Philos., Rhetoric, Grammar, &c.

SUMNER C. WEBB,
Teacher of Arithmetic, &c.

WILLIAM W. CLARK, A. M.,
Teacher of Natural Philosophy and Chemistry.

TRUMAN H. BOWEN,
Teacher of Vocal Music, Grammar, &c.

ELIZABETH C. HANCE,
Teacher of Reading and History.

ANN MARIA OSTROM,
Teacher of Drawing, &c.

STUDENTS.

LADIES.

<i>Names.</i>	<i>Towns.</i>	<i>Counties.</i>
Lois E. Andrews,	Oswego,	Oswego.
Catharine Acker,	Catskill,	Greene.
*Emily A. Andrews,	Albany,	Albany.
*Charlotte M. Anderson,	Albany,	Albany.
*Elizabeth L. Adams,	Bethlehem,	Albany.
*Hester Ann Birch,	Amsterdam,	Montgomery.
Jane L. Bush,	White Plains,	Westchester.
*Catharine M. Brownell,	Schoharie,	Schoharie.
Sarah Bensen,	Albany,	Albany.
*Harriet E. Ball,	Nassau,	Rensselaer.
L. Louisa Bingham,	Van Buren,	Onondaga.
Fanny A. Babcock,	Westford,	Otsego.
Sarah A. Bingham,	Albany,	Albany.
Mary L. Brand,	Geddes,	Onondaga.
*Emily J. Bull,	New Lebanon,	Columbia.
Emma E. Brooks,	Riga,	Monroe.
*Mary Belknap,	Mamakating,	Sullivan.
Sarah M. Burnham,	Scriba,	Oswego.
Sarah M. Birdsall,	Niskayuna,	Schenectady.
*Mary M. Broughton,	Fort Ann,	Washington.
Mary E. Burch,	Schodack,	Rensselaer.
*Jane Bussing,	Bethlehem,	Albany.
*Caroline Brayton,	Albany,	Albany.
*Sarah E. Bender,	Bethlehem,	Albany.
Elizabeth E. Burdick,	Nassau,	Rensselaer.

* Those pupils whose names are marked with a star, have been appointed by the executive committee.

<i>Names.</i>	<i>Towns.</i>	<i>Counties.</i>
Louisa Barton,	Moriah,	Essex.
*Janette Beach,	Canaan,	Columbia.
Marion O. Carpenter,	Brockport,	Monroe.
*Sarah M. Craig,	Albany,	Albany.
Frances H. Clark,	Albany,	Albany.
*Mary E. Crumb,	Albany,	Albany.
*Helen M. Conkling,	Duanesburgh,	Schenectady.
*Elizabeth Cook,	Albany,	Albany.
Phebe E. Cummings,	Middlefield,	Otsego.
*Elanour Carpenter,	Schodack,	Rensselaer.
Elizabeth C. Conklin,	Utica,	Oneida.
Mary A. Conklin,	Riverhead,	Suffolk.
*Mary V. Cayler,	Albany,	Albany.
Elizabeth Clark,	Cortlandt,	Westchester.
Mary H. Crosby,	Ogden,	Monroe.
*Anna E. Cantine,	Wawarsing,	Ulster.
*Sarah C. Cullen,	Newport,	Herkimer.
Elizabeth S. Cole,	Salisbury,	Herkimer.
*Jane E. Callender,	Albany,	Albany.
Clara Colwell,	Friendship,	Allegany.
*Mary E. Crounse,	Guilderland,	Albany.
*Eliza J. Dunster,	Albany,	Albany.
Jane B. Dayton,	Easthampton,	Suffolk.
*Anna E. Dillow,	Albany,	Albany.
Mary J. Dorman,	Seneca,	Ontario.
Hannah M. Dickson,	West Bloomfield,	Ontario.
*Sarah L. Dubois,	Schodack,	Rensselaer.
Clarissa A. Doty,	Annsville,	Oneida.
Clarissa A. Denike,	Brooklyn,	Kings.
*Harriett M. Dixon,	Albany,	Albany.
Mary A. Earll,	Salina,	Onondaga.
*Sarah A. Ford,	Chatham,	Columbia.
*Julia Fuller,	Utica,	Oneida.
Margaret S. Foster,	Southampton,	Suffolk.
*Es'her Ford,	Chatham,	Columbia.
Mary Ann Fox,	Athens,	Greene.
*Hallen Fitzgerald,	Utica,	Oneida.
*Almira J. Fry,	Chemung,	Chemung.

<i>Names.</i>	<i>Towns.</i>	<i>Counties.</i>
*Eltheah Ferris,	Philipstown,	Putnam.
*Augusta D. Fergerson,	Westchester,	Westchester.
*Elizabeth Guffin,	Cobleskill,	Schoharie.
Emeline Gates,	Buffalo,	Erie.
*Mary F. Glen,	Albany,	Albany.
*Adaline Gillett,	Albany,	Albany.
Lucia Green,	Cattaraugus,	Erie.
*Sarah E. Going,	Lewiston,	Niagara.
Eliza A. Hicks,	Marshall,	Oneida
*Anna E. Hughes,	Albany,	Albany.
Celia A. Hall,	De Witt,	Onondaga.
*Martha Hepinstall,	Albany,	Albany.
Alice B. Hadnett,	West Turin,	Lewis.
*Hepsibah A. Hulse,	Wallkill,	Orange.
*Mary T. Hulse,	Wallkill,	Orange.
Louisa A. Hiscock,	Ogden,	Monroe.
Lucy Harris,	Hartford,	Washington.
*Ellen E. Hall,	Guilderland,	Albany.
*Almira Hoyt,	Schodack,	Rensselaer.
*Charlotte C. Huddleston,	Albany,	Albany.
Mary L. Harris,	Stillwater,	Saratoga.
Martha Herdman,	Westford,	Otsego.
*Mary J. Hull,	Clarendon,	Orleans
*Margaret A. Hewitt,	Bethlehem,	Albany.
Susan S. Hazard,	Newburgh,	Orange.
Anna Hart,	Watertown,	Jefferson.
Mary Hatfield,	Hudson,	Columbia.
Mary A. Hubbell,	Bedford,	Westchester.
Ann E. Horton,	Brownville,	Jefferson.
*Margaret A. Ingersoll,	Hunter,	Greene.
Susan P. Jones,	Amsterdam,	Montgomery.
Myra Johnson,	Norwich,	Chenango.
Mary R. L. Jones,	Westfield,	Richmond.
*Margaret C. Jones,	Amsterdam,	Montgomery.
*Ruth E. Johnson,	Frankfort,	Herkimer.
Mary C. Johnson,	Stuyvesant,	Columbia.
Mary Jemison,	Cattaraugus,	Erie.
Elmira L. Ketchum,	Northfield,	Richmond.

<i>Names.</i>	<i>Towns.</i>	<i>Counties.</i>
*Mary Ann King,	Albany,	Albany.
Alice Kandy,	Verona,	Oneida.
Harriet Keeling,	Utica,	Oneida.
Sabra A. Lapham,	Milo,	Yates.
Elizabeth Larchar,	Columbus,	Chenango.
*Helen A. Lansing,	Watervleit,	Albany.
Elizabeth R. Lapham,	Milo,	Yates.
Eveline O. Lansing,	Randolph,	Cattaraugus.
*Sarah L. Lattimore,	Moreau,	Saratoga.
*Jane M. Livingston,	Albany,	Albany.
Cecelia McGinn,	Albany,	Albany.
*Martha McGregor,	Chateaugay,	Franklin.
Mary McDonald,	Albany,	Albany.
Catharine W. Morrison,	Mamakating,	Sullivan.
*Mary Ann McElroy,	Albany,	Albany.
Harriet L. Milliner,	Rochester,	Monroe.
*Rosanna Murray,	Albany,	Albany.
*Mary Morgan,	Albany,	Albany.
*Margaret F. Morgan,	Albany,	Albany.
*Mary A. Mott,	Halfmoon,	Saratoga.
*Helen E. Mann,	Hunter,	Greene.
Caroline Montony,	Glen,	Montgomery.
Harriet A. Newell,	Holland,	Erie.
*Sabrina A. Nicholds,	Albany,	Albany.
Louisa C. Plumb,	Scriba,	Oswego.
Emily K. Phelps,	Schodack,	Rensselaer.
*R. Melinda Phillips,	Albany,	Albany.
Hannah Parry,	New-York,	New-York.
Adaline E. Perkins,	Hamburgh,	Erie.
*Mary Ann Pearse,	Niskayuna,	Schenectady.
Mary Pilling,	Stockport,	Columbia.
Esther L. Post,	North Hempstead,	Queens.
Caroline G. Parker,	Pembroke,	Genesee.
Charlotte Parrott,	Schoharie,	Schoharie.
Armenia T. Pepper,	Greenburgh,	Westchester.
Ruth Perkins,	Marathon,	Cortland.
*Marietta Parker,	Windham,	Greene.
*Sarah B. Quick,	Duanesburgh,	Schenectady.

<i>Names.</i>	<i>Towns.</i>	<i>Counties.</i>
Martha L. Quick,	Duanesburgh,	Schenectady.
*Charlotte E. Rose,	Albany,	Albany.
Anna L. Reynolds,	New-York,	New-York.
Elizabeth Rudyard,	N. Hempstead,	Queens.
*Josephine L. Ridder,	Albany,	Albany.
*Lucy Randall,	Albany,	Albany.
Mary A. Seabury,	Knox,	Albany.
Betsy Jane Smith,	Crown Point,	Essex.
Helen M. Skidmore,	Utica,	Oneida.
*Delia A. Shtsfelt,	Ghent,	Columbia.
*Margaret E. Stevens,	Albany,	Albany.
*Caroline W. Shurtleff,	Albany,	Albany.
*Lucinda Schermerhorn,	Schodack,	Rensselaer.
Josephine Stewart,	Utica,	Oneida.
Elizabeth Smith,	Cobleskill,	Schoharie.
*Julia M. Scovel,	Albany,	Albany.
*Margaret B. Shufelt,	Chatham,	Columbia.
*Josephine Stone,	Smithfield,	Madison.
*Etta M. Tuttle,	Albany,	Albany.
Aurora H. Turner,	Syracuse,	Onondaga.
*Phebe A. Uline,	Sandlake,	Rensselaer.
Jane A. Van Sickler,	Stockport,	Columbia.
Gertrude Van Patten,	Glenville,	Schenectady.
*Catharine Van Dyck,	Albany,	Albany.
Huldah S. Vischer,	Clifton Park,	Saratoga.
*Mary Van Antwerp,	Albany,	Albany.
Margaret E. Van Derzee,	Bethlehem,	Albany.
Agnes Van Allen,	Stuyvesant,	Columbia.
*Elizabeth Van Derzee,	Albany,	Albany.
Lucy Voorhees,	Schodack,	Sullivan.
*Lavinia A. Van Schaack,	Albany,	Albany.
*Gertrude A. Van Derzee,	Bethlehem,	Albany.
Emily Vermylia,	Varick,	Seneca.
*Harriet Woodward,	Albany,	Albany.
*Mary A. Williams,	Albany,	Albany.
Marion B. Wallis,	Buffalo,	Erie.
Mary J. Witter,	Knox,	Albany

<i>Names.</i>	<i>Towns.</i>	<i>Counties.</i>
*Hannah M. Wetherwax,	Poestenkill,	Rensselaer.
*Georgianna M. Warren,	Albany,	Albany.
*Hannah Waddle,	Duanesburgh,	Schenectady.
*Cornelia T. Wilber,	Albany,	Albany.
Mary L. Wilson,	Albany,	Albany.

GENTLEMEN.

John H. Abeel,	Malta,	Saratoga.
Oscar A. Archer,	Livonia,	Livingston.
Augustus G. S. Allis,	Syracuse,	Onondaga.
Joseph Arnold,	Burlington,	Otsego.
*Ebenezer D. Beattie,	Salem,	Washington.
Selah W. Brown,	Milton,	Saratoga.
James Burlew,	Ovid,	Seneca.
Charles H. Brown,	Litchfield,	Herkimer.
John L. Brown,	Milford,	Otsego.
*Edmond Brink,	Kingston,	Ulster.
*Gilbert H. Barton,	Moriah,	Essex.
*Edward Bliss,	Smithfield,	Madison.
Josiah K. Brown,	Trenton,	Oneida.
*William G. Brownson,	Fenner,	Madison.
*Benson Briggs,	Cortland,	Westchester.
*Philip Prust,	Brunswick,	Rensselaer.
Daniel Birdsall,	New Castle,	Westchester.
*Cyrus B. Beardsley,	Chesterfield,	Essex.
Henry C. Brown,	Onondaga,	Onondaga.
*Isaac Becker,	Wright,	Schoharie.
*Albert Craver,	Greenbush,	Rensselaer.
*Sylvester Craver,	Greenbush,	Rensselaer.
Robert N. Cornish,	Westford,	Otsego.
*John Cipperly,	Sand Lake,	Rensselaer.
William M. Carr,	Ithaca,	Tompkins.
*James A. Curtis,	Duanesburgh,	Schenectady.
Abram Cassedy,	Ramapo,	Rockland.
George W. Corwin,	Riverhead,	Suffolk.
*Hiram Cipperly,	Sand Lake,	Rensselaer.
Lucius H. Cheney,	Syracuse,	Onondaga.

<i>Names.</i>	<i>Towns.</i>	<i>Counties.</i>
*Truman D. Cameron,	Athol,	Warren.
Hezekiah S. Cook,	Brighton,	Monroe,
*Richard Carmichael,	Sand Lake,	Rensselaer.
Webster R. Chamberlain,	Cicero,	Onondaga.
Oren S. Cook,	Scriba,	Oswego.
Lewis Curtice,	Chautauque,	Chautauque.
*Gurdon Crippen,	Guilderland,	Albany.
Bradford R. Champion,	Knox,	Albany.
*John T. Callen,	Charlton,	Saratoga.
*James B. Cummings,	Putnam,	Washington.
*Richard Cahill,	Bath,	Steuben.
*Elymus N. Conlee,	Queensbury,	Warren.
Abram A. Demarest,	Clarkstown,	Rockland.
William G. Dickson,	Crawford,	Orange.
Miles Davenport,	Crawford,	Orange.
*Algernon L. Day,	Flushing,	Queens.
Levi S. Dominy,	Chazy,	Clinton.
*Joseph H. Dutcher,	Cherry Valley,	Otsego.
D. Goldsmith Dimon,	Riverhead,	Suffolk.
Tully C. Estee,	Eden,	Erie.
James M. Foster,	Seward,	Schoharie.
*William C. Fish,	Rensselaerville,	Albany.
*John H. Furman,	Clifton Park,	Saratoga.
*Hiram File,	Brunswick,	Rensselaer.
Hiram Gilmore,	Madison,	Madison.
Gerrit F. Gifford,	Easton,	Washington.
James E. Goodman,	Bolton,	Warren.
*James Giffin,	Cobleskill,	Schoharie.
Isaac B. Goodrich,	Livonia,	Livingston.
John H. Greenleaf,	Fayette,	Seneca.
Henry Griffith,	East Fishkill,	Dutchess.
*Riley J. Gilbert,	Verona,	Oneida.
*John R. Hinds,	Hebron,	Washington.
T. Orlando Hopkins,	Amherst,	Erie.
Cornelius Hill,	Carmel,	Putnam.
Ward Hart,	Carmel,	Putnam.
Horatio W. Hand,	Hartland,	Niagara.

<i>Names.</i>	<i>Towns.</i>	<i>Counties.</i>
Horace W. Hovey,	Guilford,	Chenango.
John H. Hopper,	Clarkstown,	Rockland.
James H. Hickok,	Chateaugay,	Franklin.
Peter W. Hoagland,	New-York,	New-York.
James Hinds,	Hebron,	Washington.
*William Hinds,	Hebron,	Washington.
*William S. Howell,	Riverhead,	Suffolk.
*Nicholas T. Howland,	Saratoga,	Saratoga.
Andrew Jackson,	Newstead,	Erie.
Augustus B. Jordan,	Crawford,	Orange.
Amos Kellogg,	Kirkland,	Oneida.
Charles Kempster,	Brookfield,	Madison.
*James H. Keyes,	Albany,	Albany.
Russell A. Kneeland,	Ogden,	Monroe.
*George P. W. Kelderhouse,	Guilderland,	Albany.
Thomas S. Lawrence,	Yorktown,	Westchester.
*Jesse Lillybridge,	Annsville,	Oneida.
*Wright Le Roy,	Wawarsing,	Ulster.
*George W. Lounsbery,	Sullivan,	Madison.
*Henry McGregor,	Guilderland,	Albany.
*Gilbert Miller,	Watervliet,	Albany.
Charles Morse,	Buffalo,	Erie.
James H. Mills,	Wallkill,	Orange.
*James McMillan,	Erin,	Chemung.
*Augustus R. Macomber,	Windham,	Greene.
*Jesse McKinney,	Veteran,	Chemung.
James Miles,	Wilmington,	Essex.
*Michael McN. Walsh,	Rochester,	Monroe.
Honues Neddy,	Onondaga,	Onondaga.
*Francis Ogsbury,	Guilderland,	Albany.
Nicholson H. Parker,	Pembroke,	Genesee.
*Alonzo Phillips,	Schodack,	Rensselaer.
*Byron Pratt,	Aurora,	Erie.
Daniel W. Pierce,	South Valley,	Cattaraugus.
I. Newton Parker,	Pembroke,	Genesee.
William S. Potwine,	Ellington,	Chautauque.
*Boardman Pratt,	Lawrence,	St. Lawrence.

<i>Names.</i>	<i>Towns.</i>	<i>Counties.</i>
*John A. Parrish,	Hebron,	Washington.
James F. Philip,	Kinderhook,	Columbia.
*Darius Rogers,	Greece,	Monroe.
Philander Reed,	Lyme,	Jefferson.
*Jacob Reynolds,	Root,	Montgomery.
*Charles H. Randall,	Albany,	Albany.
Charles F. Rappelyee,	Milo,	Yates.
Harvey W. Rice,	Watertown,	Jefferson.
*Nicholas Rappleye,	Covert,	Seneca.
*Philip Snyder,	Rhinebeck,	Dutchess.
Darwin Smalley,	Ovid,	Seneca.
Thomas G. Smith,	Coventry,	Chenango.
Edwin H. Sellens,	Whitestown,	Oneida.
Henry M. Smead,	Pavilion,	Wyoming.
Baptiste Schenendoah,	Onondaga,	Onondaga.
*Andrew J. Spencer,	Villenovia,	Chautauque.
*Isaac N. Sawyer,	Porter,	Niagara.
*Judah C. Schermerhorn,	Albany,	Albany. •
James W. Schermerhorn,	Schodack,	Rensselaer.
*Ithamar Spencer,	Albany,	Albany.
Calvin W. Smith,	Washington,	Dutchess.
William L. Thompson,	Brookfield,	Madison.
*Nathaniel P. Todd,	Albany,	Albany.
Edward Tomkins,	Hyde Park,	Dutchess.
Byron B. Taggart,	Le Ray,	Jefferson.
Elijah J. Thompson,	Cherry Valley,	Otsego.
Ezekiel Thomas,	Bolton,	Warren
*Joseph B. Tallman,	Chautauque,	Chautauque.
*Oscar M. Uline,	Sand Lake,	Rensselaer.
John E. Van Etten,	Kingston,	Ulster.
Evert E. Van Allen,	Perth,	Fulton.
Abraham Van Valin,	La Grange,	Dutchess.
*Nicholas Winne,	Guilderland,	Albany.
*Daniel M. Wells,	Riverhead,	Suffolk.
Albertus Webb,	Homer,	Cortland.
William W. White,	Southampton,	Suffolk.
J. Henry Wright,	New-Haven,	Oswego.

<i>Names.</i>	<i>Towns.</i>	<i>Counties.</i>
Levi Williams,	Collins,	Erie.
D. Frank ^l in Wells,	Trenton,	Oneida.
George S. White,	Pompey,	Onondaga.
Horace M. Wilds,	Ellisburgh,	Jefferson.
William Wright,	Mentz,	Cayuga.
*Samuel H. Wetherwax,	Greenbush,	Rensselaer.
John Wright,	Mentz,	Cayuga.
Chauncey Wilkie,	Le Ray,	Jefferson.
Henry Wagoner,	Wheeler,	Steuben.
*William H. Wood,	West Troy,	Albany.
*Charles Winne,	Villenovia,	Chautauque.
Thomas H. Webster,	Lenox,	Madison.
Ladies,.....		181
Gentlemen,.....		153
		<hr/>
Total,.....		334
		<hr/>
Ladies regularly appointed,.....		92
• appointed by Executive committee,.....		89
		<hr/> 181
Gentlemen regularly appointed,.....		88
appointed by Executive Committee,...		65
		<hr/> 153
		<hr/>
		334
		<hr/>

INDIAN PUPILS,

IN ACCORDANCE WITH

An act to provide for the Support and Education of a limited number of Indian Youth of the State of New York, at the State Normal School. Passed March 23, 1850.

<i>Names.</i>	<i>Towns.</i>	<i>Counties.</i>
Caroline G. Parker,	Pembroke,	Genesee.
<i>Ga-ho-a-noh. [Watching the door.]</i>		
Lucia Green,	Cattaraugus,	Erie.
<i>Da-doh-ho. [A Shield from the Wind.]</i>		
Mary Jemison,	Cattaraugus,	Erie.
<i>Ga-wen-noh-de-a-noh. [A sound going in all directions.]</i>		
Nicholson H. Parker,	Pembroke,	Genesee.
<i>Gye-wah-ge-wa. [Important subject.]</i>		
I. Newton Parker,	Pembroke,	Genesee.
<i>Ga-ne-yo-squa-ga-oh. [Ribs lying about.]</i>		
Levi Williams,	Collins,	Erie.
<i>Ha-we-ans. [Taking them over or above something; to the top.]</i>		
Thomas Webster,	Lenox,	Madison.
<i>Dah-yo-ga-weh. [Rowing a boat this way.]</i>		
Daniel W. Pierce,	South Valley,	Cattaraugus.
<i>Ha-yeh-woh-eh. [The main body or stem of a weed.]</i>		
Honues Neddy,	Onondaga,	Onondaga.
<i>Ho-nu-es-ned-dy. [Killing deer.]</i>		
Henry C. Brown,	Onondaga,	Onondaga.
<i>So-ga-to-wah. [Big belt.]</i>		
Baptiste Schenendoah,	Onondaga,	Onondaga.
<i>Gah-sen-noh-yen-doh. [Names are plenty.]</i>		

GRADUATES

Of the thirteenth term, ending March 20, 1851.

LADIES.

<i>Names.</i>	<i>Post-offices.</i>	<i>Counties.</i>
Marion O. Carpenter,	Brockport,	Monroe.
Sarah M. Craig,	Albany,	Albany.
Mary E. Crumb,	Cedar Hill,	Albany.
Helen M. Conklin,	Duanesburgh,	Schenectady.
Clarissa A. Denike,	Brooklyn,	Kings.
Susan S. Hazard,	Newburgh,	Orange.
Sabra A. Lapham,	Penn Yan,	Yates.
Harriet A. Newell,	Holland,	Erie.
Louisa C. Plumb,	Scriba,	Oswego.
Hannah Parry,	New-York,	New-York.
Emily K. Phelps,	S. Schodack,	Rensselaer.
Mary A. Seabury,	Knox,	Albany.
Betsy J. Smith,	Crown Point,	Essex.
Etta M. Tuttle,	Salem,	Washington.

GENTLEMEN.

Ebenezer D. Beattie,	Salem,	Washington.
Selah W. Brown,	Groom's Corners,	Saratoga.
Robert N. Cornish,	Westville,	Otsego.
Abram A. Demarest,	Nanuet,	Rockland.
William G. Dickson,	Crawford,	Orange.
Hiram Gilmore,	Madison,	Madison.
T. Orlando Hopkins,	Williamsville,	Erie.
Amos M. Kellogg,	Kirkland,	Oneida.

<i>Names.</i>	<i>Post-offices.</i>	<i>Counties.</i>
Henry McGregor,	Chateaugay,	Franklin.
John A. Parish,	Hebron,	Washington.
Calvin W. Smith,	Wash'gton Hollow,	Dutchess.
John E. Van Etten,	Woodstock,	Ulster.
Ladies,.....		14
Gentlemen,.....		12
		—
Total,.....		26
		==

Fourteenth term, ending July 31, 1851.

LADIES.

<i>Names.</i>	<i>Post-offices.</i>	<i>Counties.</i>
Catharine M. Brownell,	Schoharie,	Schoharie.
L. Maria Bingham,	Van Buren,	Onondaga.
Frances H. Clark,	Albany,	Albany.
Elizabeth S. Cole,	Salisbury,	Herkimer.
Phebe Cummings,	Milford,	Otsego.
Elanour Carpenter,	Schodaek Landing,	Rensselaer.
Anna E. Dillow,	Albany,	Albany.
Eliza A. Hicks,	Oriskany Falls,	Oneida.
Celia A. Hall,	Syracuse,	Onondaga.
Helen A. Lansing,	Lesharskill,	Albany.
Martha McGregor,	Chateaugay,	Franklin.
R. Melinda Phillips,	Albany,	Albany.
Sarah B. Quick,	Braman's Corners,	Schenectady.
Jane A. Van Sickler,	Hudson,	Columbia.
Gertrude Van Patten,	Schenectady,	Schenectady.
Catharine Van Dyck,	Albany,	Albany.
Marion B. Wallis,	Buffalo,	Erie.

GENTLEMEN.

Oscar A. Archer,	Hemlock Lake,	Livingston.
James B. Cummings,	Putnam,	Washington.
Truman D. Cameron,	Stony Creek,	Warren.
Cornelius Hill,	Red Mills,	Putnam.

<i>Names.</i>	<i>Post-offices.</i>	<i>Counties.</i>
Horace W. Hovey,	Guilford Centre,	Chenango.
George W. Lounsbery,	Sullivan,	Madison.
James McMillan,	Horse Heads,	Chemung.
Philip Snyder,	Rhinebeck,	Dutchess.
William Thompson,	Brookfield,	Madison.
Albertus Webb,	Homer,	Cortland.
William W. White,	Bridge Hampton,	Suffolk.
Ladies,.....		17
Gentlemen,.....		11
		—
Total,.....		28
		==
		.

Whole No. of graduates during the	First Term,.....	00	}	FIRST
Whole No. “ “	Second Term,.....	34		YEAR.
Whole No. “ “	Third Term,.....	47	}	SECOND
Whole No. “ “	Fourth Term,.....	63		YEAR.
Whole No. “ “	Fifth Term,.....	46	}	THIRD
Whole No. “ “	Sixth Term,.....	62		YEAR.
Whole No. “ “	Seventh Term,.....	50	}	FOURTH
Whole No. “ “	Eighth Term,.....	46		YEAR.
Whole No. “ “	Ninth Term,.....	43	}	FIFTH
Whole No. “ “	Tenth Term,.....	37		YEAR.
Whole No. “ “	Eleventh Term,.....	32	}	SIXTH
Whole No. “ “	Twelfth Term,.....	34		YEAR.
Whole No. “ “	Thirteenth Term,.....	26	}	SEVENTH
Whole No. “ “	Fourteenth Term,.....	28		YEAR. —
		—		
Total No. of graduates,.....		548		
		==		

CIRCULAR.

The Normal School for the State of New-York was established by an act of the Legislature, in 1844, "for the instruction and practice of Teachers of Common Schools in the science of Education and the art of Teaching." It was first established for five years, as an experiment, and went into operation on the 18th of December, 1844, in a building provided gratuitously by the city of Albany, and temporarily fitted up for that purpose. The first term opened with twenty-nine pupils, and closed with ninety-seven. The number in attendance the second term was about two hundred. The average number is now about two hundred and thirty.

In 1848, an act was passed by the Legislature "for the permanent establishment of the State Normal School," appropriating \$15,000 towards the erection of a suitable building. The following year, an additional appropriation of \$10,000 was made for its completion. A large and commodious edifice, containing a dwelling-house for the Principal, has accordingly been erected on the corner of Lodge and Howard streets, adjoining the State Geological and Agricultural rooms. To this building the school was removed on the 31st of July, 1849.

The object of this institution is to improve teachers of common schools; and the course of study, and the conditions of admission, have been adopted with reference to that object.

Each county in the State is entitled to send to the school a number of pupils (either male or female) equal to twice the number of members of the Assembly in such county. The pupils are appointed by the town superintendents, at a meeting called by the superintendent of the county town for that purpose. This

meeting should be held, and the appointments made, at least two weeks before the commencement of each term, or as soon as information is received as to the number of vacancies. A list of the vacancies at the close of each term will be published in circular form, and also in the principal Albany papers.

Persons failing to receive appointments from their respective counties should, after obtaining testimonials of a good moral character, present themselves the first day of the term for examination by the faculty. If such examination is satisfactory, they will receive an appointment from the executive committee, without regard to the particular county, provided any vacancies exist. In such case, the pupil will not receive mileage.

Pupils once admitted to the school will have the right to remain until they graduate; unless they forfeit that right by voluntarily vacating their place, or by improper conduct.

The following is the form of certificate of appointment which ought to be given to each pupil appointed by the town superintendents:

At a meeting of the town superintendents of the county of _____, held at _____ on the _____ day of _____ for the purpose of filling vacancies in the State Normal School, _____ was duly appointed as a pupil of that institution.

(Signed by the chairman and secretary.)

QUALIFICATIONS OF APPLICANTS.

Females sent to this school must be sixteen years of age, and males eighteen, and must be residents of this State.

The superintendents, in making their appointments, are urged to pay no regard to the political opinions of applicants. The selections should be made with reference to the *moral worth* and abilities of the candidates. Decided preference ought to be given to those who, in the judgment of the superintendents, give the highest promise of becoming the most efficient teachers of common schools. It is also desirable that those only should be appointed who have already a good knowledge of the common branches of study, and *intend to remain in the school until they graduate.*

ENTRANCE.

All the pupils on entering the school, are required to sign the following declaration :

" We, the subscribers, hereby DECLARE that it is our intention to devote ourselves to the business of teaching district schools, and that our sole object in resorting to this Normal School is the better to prepare ourselves for that important duty."

As this should be signed in good faith on the part of the pupils, they should be made acquainted with its import before they are appointed. It is expected of the superintendents that they shall select such as will sacredly fulfil their engagements in this particular.

Pupils on entering the school, are subjected to a thorough examination, and are classified according to their previous attainments. The time required to accomplish the course will depend upon the attainments and talents of the pupil, varying from *one to four terms*. *Very few*, however, need expect to graduate in one term.

The following table will show how much a student of each county will receive at the end of the term as travelling expenses :

Counties.	Amount paid to each pupil.
Albany,	\$0 00
Allegany,	7 68
Broome,	4 35
Cattaraugus,	8 76
Cayuga,	5 16
Chautauque,	10 08
Chemung,	5 94
Chenango,	3 30
Clinton,	4 86
Columbia,	0 87
Cortland,	4 20
Delaware,	2 31
Dutchess,	2 19
Erie,	9 75

Counties.	Amount paid to each pupil.
Essex,	3 78
Franklin,	6 36
Fulton,	1 35
Genesee,	8 49
Greene,	1 02
Hamilton,	2 46
Herkimer,	2 37
Jefferson,	4 80
Kings,	4 38
Lewis,	4 26
Livingston,	7 14
Madison,	3 03
Monroe,	7 53
Montgomery,	1 26
New-York,	4 35
Niagara,	9 00
Oneida,	2 79
Onondaga,	4 38
Ontario,	6 66
Orange,	3 15
Orleans,	7 71
Oswego,	5 01
Otsego,	1 98
Putnam,	3 18
Queens,	5 01
Rensselaer,	0 18
Richmond,	4 74
Rockland,	3 66
Saratoga,	0 90
Schenectady,	0 45
Schoharie,	0 96
Seneca,	5 91
St. Lawrence,	6 18
Steuben,	6 48
Suffolk,	6 78
Sullivan,	3 39
Tioga,	5 01

Counties.	Amount paid to each pupil.
Tompkins,	5 10
Ulster,	1 74
Warren,	1 86
Washington,	1 50
Wayne,	5 43
Westchester,	3 90
Wyoming,	9 09
Yates,	6 36

PRIVILEGES OF THE PUPILS.

All pupils receive their tuition free. They are also furnished with the use of text-books without charge. They are, however, held responsible for their loss or injury. If they already own the books of the course, they will do well to bring them, together with such other books for reference as they may possess. Besides this, each student receives three cents a mile on the distance from his county seat to Albany, to defray travelling expenses. No pupil will hereafter receive mileage, unless the appointment is obtained from the county in which said pupil resides, such appointment being regularly made by the town superintendents. *This money is paid at the close of each term.*

APPARATUS.

A well-assorted apparatus has been procured, sufficiently extensive to illustrate all the important principles in Natural Philosophy, Surveying, Chemistry, and Human Physiology. Extraordinary facilities for the study of Physiology are afforded by the museum of the Medical College, which is open at all hours for visitors.

LIBRARY.

Besides an abundant supply of text-books upon all the branches of the course of study, a well selected miscellaneous library has been procured, to which all the pupils may have access free of charge. In the selection of this library, particular care has been exercised to procure most of the recent works upon education, as well as several valuable standard works upon the Natural Sciences,

History, Mathematics, &c. The State Library is also freely accessible to all.

TERMS AND VACATIONS.

The *Fall Term* will begin on the third Monday in September, and continue twenty-one weeks, including an intermission from Christmas to New-Year's Day.

The *Spring Term* will begin the last Monday in February, and continue twenty weeks.

PROMPT ATTENDANCE.

As the school will open on Monday, it would be for the advantage of the pupils if they should reach Albany by the Friday or Saturday preceding the day of opening. The faculty can then aid them in securing suitable places for boarding.

As the examination of the pupils, preparatory for classification, will commence on the first day of the term, it is exceedingly important that all the pupils should report themselves on the first morning. Those who arrive a day after the time, will subject not only the teachers to much trouble, but themselves also to the rigors of a private examination. After the first week, no student, except for the strongest reasons, will be allowed to enter the school.

PRICE OF BOARD.

The price of board, in respectable families, varies from \$1.75 to \$2.50, exclusive of washing.

The ladies and gentlemen are not allowed to board in the same families; and gentlemen of the school are not allowed to call upon ladies of the school after six o'clock P. M. Particular care is taken to be assured of the respectability of the families who propose to take boarders, before they are recommended to the pupils.

EXPERIMENTAL SCHOOL.

Convenient rooms in the building are appropriated to the accommodation of this school. It is under the immediate supervision of a permanent teacher.

The object of this school is to afford each Normal pupil an opportunity to practice the methods of instruction and discipline inculcated at the Normal School, as well as to exhibit his "aptness to teach," and to discharge the various other duties pertaining to the teacher's responsible office. Each member of the graduating class is required to spend at least two weeks in this department.

In the experimental school there are 88 pupils between the ages of six and sixteen years. A portion of these are free pupils. The free seats will be hereafter given exclusively to fatherless children residing in the city of Albany. The remaining pupils are charged twenty dollars per year for tuition and use of books. This charge is made merely to defray the expense of sustaining the school.

DIPLOMA.

STATE OF NEW-YORK, }
NORMAL SCHOOL, ALBANY, N. Y., [date.] }

To whom it may concern :

This certifies that A. B., having been a member of the State Normal School, and having completed the prescribed course of study, is deemed by the Faculty of the Institution to be well qualified to enter upon the duties of a Teacher.

[Signed by each member of the Faculty.]

In accordance with the above Certificate we, the Executive Committee, have granted this DIPLOMA.

[Signed by each member of the Executive Committee.]

[By an act of the Legislature, passed April 11, 1849, "every teacher shall be deemed a qualified teacher, who shall have in possession a Diploma from the State Normal School."]

(B.)

The following are the Programmes of Exercises of the Fall Term. They remain the same for the Spring Term, with the exception that the exercises commence one hour earlier:

PROGRAMME,

FOR FIRST THIRD OF FALL TERM.

9, until 9. 20.	Opening Exercises.	
9. 20, until 10.5,	Seniors, Intellectual Philosophy,..... Sub-Seniors, No. 1, Natural Philosophy,..... Sub-Seniors, No. 2, Grammar,..... Juniors, No. 1, Algebra, Juniors, No. 2, History,..... Sub-Juniors, No. 1, Elementary Arithmetic,..... Sub-Juniors, No. 2, Intellectual Arithmetic,.....	Mr. S. T. Bowen. Mr. Johnson. Mr. T. H. Bowen. Mr. Felt. Miss Hance. Mr. Webb. Miss Ostrom.
10.5, until 10.15.	Rest, and change of classes.	
10.15, until 11.	Seniors, Rhetoric, Sub-Seniors, No 1, Algebra,..... Sub-Seniors, No. 2, Natural Philosophy,..... Juniors, No. 1, Grammar,..... Juniors, No. 2, Practical Arithmetic, Sub-Juniors, No. 1, Reading,..... Sub-Juniors, No. 2, Geography,.....	Mr. S. T. Bowen. Mr. Felt. Mr. Johnson. Mr. T. H. Bowen. Mr. Webb. Miss Hance. Miss Ostrom.
11, until 11.10.	Rest, and change of classes.	
11.10, until 11.55.	Seniors, Theory and Practice,..... Sub-Seniors, No. 1, Geometry,..... Sub-Seniors, No. 2, Higher Arithmetic,..... Juniors, No. 1, Reading,..... Juniors, No. 2, Grammar,..... Sub-Juniors, No. 1, Intellectual Arithmetic,..... Sub-Juniors, No. 2, Grammar,.....	Mr. Phelps. Mr. S. T. Bowen. Mr. Webb. Miss Hance. Mr. T. H. Bowen. Miss Ostrom. Mr. Felt.
11.55, until 12.15.	Recess.	
12.15, until 1.	Seniors, Chemistry, Sub-Seniors, No. 1, Grammar,..... Sub-Seniors, No. 2, Geometry,..... Juniors, No. 1, { Writing, Juniors, No. 2, { Sub-Juniors, No. 1, Grammar,..... Sub-Juniors, No. 2, Elementary Arithmetic,	Mr. Johnson. Mr. T. H. Bowen. Mr. S. T. Bowen. Miss Ostrom. Mr. Felt. Mr. Webb.
1, until 1.10.	Rest, and change of classes.	
1.10, until 1.55.	Seniors, (gentlemen) Higher Algebra, Sub-Seniors, No. 1, Higher Arithmetic,..... Sub-Seniors, No. 2, Drawing,..... Juniors, No. 1, History,..... Juniors, No. 2, Algebra, Sub-Juniors, No. 1, { Sub-Juniors, No. 2, { Spelling,	Mr. S. T. Bowen. Mr. Webb. Miss Ostrom. Miss Hance. Mr. Felt. Mr. Johnson.
1.55, until 2.	Dismissal.	

PROGRAMME.

FOR SECOND THIRD OF FALL TERM.

9, until 9.20.	Opening Exercises.	
9.20, until 10.5.	Seniors, Chemistry,..... Sub-Seniors, No. 1, Geometry,..... Sub-Seniors, No. 2, Science of Government, Juniors, No. 1, Algebra,..... Juniors, No. 2, Practical Arithmetic, Sub-Juniors, No. 1, History, Sub-Juniors, No. 2, Geography,.....	Mr. Johnson. Mr. S. T. Bowen. Mr. T. H. Bowen. Mr. Felt. Mr. Webb. Miss Hance. Miss Ostrom.
10.5, until 10.15.	Rest, and change of classes.	
10.15, until 11.	Seniors, Intellectual Philosophy,..... Sub-Seniors, No. 1, } Sub-Seniors, No. 2, } Spelling,..... Juniors, No. 1, Grammar,..... Juniors, No. 2, Intellectual Arithmetic, Sub-Juniors, No. 1, Grammar,..... Sub-Juniors, No. 2, History,	Mr. S. T. Bowen. Mr. Johnson. Mr. T. H. Bowen. Mr. Webb. Mr. Felt. Miss Hance.
11, until 11.10.	Rest, and change of classes.	
11.10, until 11.55.	Seniors, Physiology, Sub-Seniors, No. 1, Drawing,..... Sub-Seniors, No. 2, Geometry,..... Juniors, No. 1, Reading,..... Juniors, No. 2, Grammar, Sub-Juniors, No. 1, Elementary Arithmetic, Sub-Seniors, No. 2, Grammar,.....	Mr. Johnson. Miss Ostrom. Mr. S. T. Bowen. Miss Hance. Mr. T. H. Bowen. Mr. Webb. Mr. Felt.
11.55, until 12.15.	Recess.	
12.15, until 1.	Seniors, Aids to compositions,..... Sub-Seniors, No. 1, Science of Government,..... Sub-Seniors, No. 2, Natural Philosophy,..... Juniors, No. 1, History, Juniors, No. 2, Algebra, Sub-Juniors, No. 1, Geography,..... Sub-Juniors, No. 2, Elementary Arithmetic,.....	Mr. S. T. Bowen. Mr. T. H. Bowen. Mr. Johnson. Miss Hance. Mr. Felt. Miss Ostrom. Mr. Webb.
1, until 1.10.	Rest, and change of classes.	
1.10, until 1.55.	Seniors, (gentlemen,) Trigonometry and Surveying, Sub-Seniors, No. 1, Natural Philosophy,..... Sub-Seniors, No. 2, Drawing, Juniors No. 1, Practical Arithmetic,..... Juniors No. 2, Reading,..... Sub-Junlors, No. 1, } Sub-Juniors, No. 2, } Algebra,.....	Principal. Mr. Johnson. Miss Ostrom. Mr. Webb. Miss Hance. Mr. Felt.
1.55, until 2.	Dismission.	

PROGRAMME,

FOR LAST THIRD OF FALL TERM.

9, until 9.20.	Opening Exercises.	
9.20, until 10.5,	Seniors, Moral Philosophy, • Sub-Seniors, No. 1, Natural Philosophy, • Sub-Seniors, No. 2, Science of Government, Juniors, No. 1, Intellectual Arithmetic, Juniors, No. 2, Reading, Sub-Juniors, No. 1, Geography, Sub-Juniors, No. 2, Grammar,	Mr. S. T. Bowen. Mr. Johnson. Mr. T. H. Bowen. Mr. Webb. Miss Hance. Miss Ostrom. Mr. Felt.
10.5, until 10.15.	Rest, and change of classes.	
10.15, until 11.	Seniors, Aids to Composition, † Sub-Seniors, No. 1, Science of Government, † Sub-Seniors, No. 2, Natural Philosophy, Juniors, No. 1, Algebra, Juniors, No. 2, Geography, Sub-Juniors, No. 1, Elementary Arithmetic, Sub-Juniors, No. 2, History,	Mr. S. T. Bowen. Mr. T. H. Bowen. Mr. Johnson. Mr. Felt. Miss Ostrom. Mr. Webb. Miss Hance.
11, until 11.10.	Rest, and change of classes.	
11.10, until 11.55.	Seniors, (gentlemen,) Astronomy, Sub-Seniors, No. 1, Drawing, Sub-Seniors, No. 2, Geometry, Juniors, No. 1, Grammar, Juniors, No. 2, Algebra, Sub-Juniors, No. 1, History, Sub-Juniors, No. 2, Elementary Arithmetic,	Principal. Miss Ostrom. Mr. S. T. Bowen. Mr. T. H. Bowen. Mr. Felt. Miss Hance. Mr. Webb.
11.55, until 12.15.	Recess.	
12.15, until 1.	Seniors, Agricultural Chemistry, † Sub-Seniors, No. 1, } † Sub-Seniors, No. 2, } Book-keeping, Juniors, No. 1, Geography, Juniors, No. 2, Grammar, Sub-Juniors, No. 1, Grammar, Sub-Juniors, No. 2, Reading,	Mr. Johnson. Mr. Webb. Miss Ostrom. Mr. T. H. Bowen. Mr. Felt. Miss Hance.
1, until 1.10.	Rest, and change of classes.	
1.10, until 1.55.	Seniors, Physiology, Sub-Seniors, No. 1, Geometry, Sub-Seniors, No. 2, Algebra, Juniors, No. 1, Practical Arithmetic, Juniors, No. 2, History, Sub-Juniors, No. 1, } Sub-Juniors, No. 2, } Writing,	Mr. Johnson. Mr. S. T. Bowen. Mr. Felt. Mr. Webb. Miss Hance. Miss Ostrom.
1.55, until 2.	Dismission.	

• United on Tuesdays and Fridays, for lectures in Natural Philosophy by Mr. Johnson.

† United on Tuesdays and Fridays for lectures on Science of Government, and on Grammar, by Mr. T. H. Bowen.

‡ After finishing Book-keeping, three lectures will be given by the Principal on Mathematical Geography, also lectures on Arithmetic will be given by Mr. Webb.

PROGRAMME OF AFTERNOON EXERCISES.

All the afternoon exercises of the Fall Term commence at 3½, and end at 4½. In the Spring Term they take place one hour later.

Instruction in vocal music, Mr. T. H. Bowen.

Seniors and Sub-Seniors, on Tuesdays and Fridays.

Juniors and Sub-Juniors, on Mondays and Thursdays.

Selected Compositions are publicly read every third Wednesday, commencing the fourth week and ending with the sixteenth, thus making five times.

From three to six Field Exercises with Engineering and Surveying Instruments, will be given to the gentlemen of the Seniors, by the Principal, on such Mondays and Thursdays as may be selected on account of favorable weather.

The remaining afternoon exercises will all take place on such Wednesdays as have not already been appropriated, as follows:

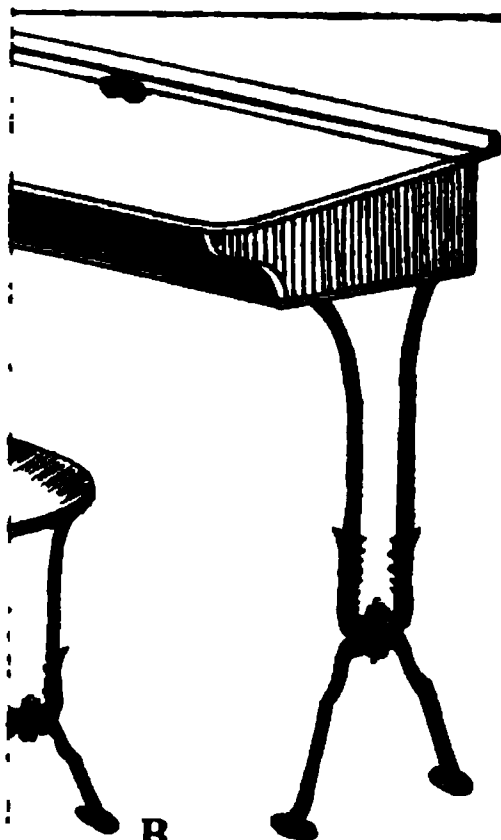
First week.	{ Old pupils,.. New pupils,.	by the Principal,.... by Mr. S. T. Bowen,	{ The relation they sustain to their teachers, and to each other, and on de- partment in general.
Second week.	{ New pupils,. Seniors,	by Mr. S. T. Bowen, by Mr. Phelps,.....	Writing Compositions. Experimental School.
Third week.	{ Seniors, Sub-Seniors, Juniors, Sub-Juniors,	by Mr. Phelps,..... by Mr. Webb,..... by Mr. T. H. Bowen, by Mr. Felt,.....	Organization of Schools. Declamation, (for gentlemen.) Grammatical Analysis. Elements of Grammar.
Fifth week.	{ Seniors, Sub-Seniors, Juniors, Sub-Juniors,	by Mr. S. T. Bowen, by Mr. Webb, by Mr. T. H. Bowen, by Mr. Felt,.....	Teaching composition writing in schools. Declamation, (for gentlemen.) Grammatical Analysis. Elements of Grammar.
Sixth week.	{ Seniors, Sub-Seniors, Juniors, Sub-Juniors,	by Mr. Phelps,..... by Mr. Webb,..... by Mr. T. H. Bowen, by Mr. Felt,.....	Conducting Recitations. Declamation (for gentlemen.) Grammatical Analysis. Elements of Grammar.
Eighth week.	{ Seniors, Sub-Seniors, Juniors,	by Mr. S. T. Bowen, by Mr. Webb, by Mr. T. H. Bowen,	Mind, and its developments. Declamation, (for gentlemen.) Grammatical Analysis.
Ninth week.	{ Seniors, Sub-Seniors, Juniors,	by Mr. Phelps,..... by Mr. Webb,..... by Mr. T. H. Bowen,	Order of succession of studies, and best method of conducting recitations. Declamation (for gentlemen.) Grammatical Analysis.
Eleventh week.	{ Seniors, Sub-Seniors, Juniors,	by Mr. Phelps,..... by Mr. S. T. Bowen, by Mr. Webb,.....	Teacher's relation to his pupils. Best method of teaching spelling. Globe exercises and Mapping.
Twelfth week.	{ Seniors, Sub-Seniors, Juniors,	by Mr. S. T. Bowen, by Mr. Felt,..... by Mr. Webb,	Moral culture. Elements of linear perspective. Globe exercises and Mapping.
Fourteenth week.	{ Seniors, Sub-Seniors, Juniors,	by Mr. S. T. Bowen, by Mr. Felt,..... by Mr. Webb,	Cultivation of taste. Elements of linear perspective. Globe exercises and Mapping.

Fifteenth week.	{	Seniors,	by Mr. T. H. Bowen,	Method of teaching Vocal Music.
		Sub-Seniors,	by Mr. Felt,	Elements of linear perspective.
		Juniors,	by Mr. Webb,	Globe exercises and Mapping.
Seventeenth week.	{	Seniors,	by Mr. T. H. Bowen,	Method of teaching Vocal Music.
		Sub-Seniors,	by Mr. Felt,	Elements of linear perspective.
		Juniors,	by Mr. Webb,	Globe exercises and Mapping.
Eighteenth week.	{	Seniors,	by Mr. T. H. Bowen,	Method of teaching Vocal Music.
		Sub-Seniors,	by Mr. Felt,	Elements of linear perspective.
		Juniors,	by Mr. Webb,	Globe exercises and Mapping.

The compositions are corrected as follows :

The Seniors',	by Mr. S. T. Bowen.
" Sub-Seniors', No. 1,	Mr. Johnson.
" Sub-Seniors', No. 2,	Mr. T. H. Bowen.
" Juniors', No. 1,	Mr. Webb.
" Juniors', No. 2,	Mr. Felt.
" Sub-Juniors', No. 1,	Miss Ostrom.
" Sub-Juniors', No. 2,	Miss Hance.

The committee for the selection of such compositions as are publicly read on Wednesdays, consists of Miss Hance, Mr. S. T. Bowen, and Mr. Johnson.



CHAIRS AND DESK
USED IN
NORMAL SCHOOL

B



Very respectfully,

ALEX. H. WELLS,
DARIUS CLARKE,
W. P. ANGEL,
Inspectors of State Prisons.

REPORT.

TO THE HON. THE LEGISLATURE;

In presenting their fourth annual report, the Inspectors of State Prisons feel highly gratified in being able to state that all the institutions under their charge have been favored with usual health, while their pecuniary condition and the mild yet salutary discipline reflect credit upon the subordinate officers to whose hands they have severally been committed.

The following table exhibits the number of convicts in the several State Prisons on the 1st day of December 1850, and the number remaining at the close of the past year, including receipts, discharges, deaths, &c. :

NAME OF PRISONS.	Number in prison December 1, 1850.	Number received during the year.	First conviction.	Second conviction.	Third conviction.	Fourth conviction.	Daily average.	Discharged by expiration.	Discharged by pardon.	Died from disease.	Escaped.	Discharged by habeas corpus and reversal of judgment.	Transferred to Lunatic Asylum.	Remaining in prison 1st Dec. 1851.
Sing Sing, males,.....	694	280	264	13	3	...	723	156	42	19	1	1	...	755
Sing Sing, females,.....	71	38	35	3	...	...	73	29	1	3	...	...	1	75
Auburn,	732	298	262	25	11	...	752	182	55	12	3	1	6	771
Clinton,	114	42	40	1	...	1	114	33	9	...	1	...	...	113
	1,611	658	601	42	14	1	1,662	400	107	34	5	2	7	1,714

Increase Sing Sing males,.... 61.
do do females,... 4.
Auburn,..... 39.
Decrease Clinton, 1.

By the foregoing table it will be seen that there has been during the past year an increase of 61 male, and 4 female convicts at the Sing Sing, and 39 males at the Auburn prison, and a decrease of 1 at the Clinton. This small addition to crime in our State, compared with the increase of our population, and considering the great influx of emigrants, speaks most favorably for the moral influences which are exerted upon community, and the reforming system adopted in the management of our penal institutions.

Of the 658 convicts received at the several prisons, during the past year, 566 males and 35 females are on their first conviction, 39² males and 3 females on their second, 14 males are on their third, and 1 male on his fourth, which shows a decrease of eleven re-commitments in the whole number, as compared with the previous year, the average of the re-commitments being only 1 in 12 of all received, and of these we do not find a single case where the convict had received the clemency of the executive.

One hundred and seven convicts have been pardoned during the past year, not one of whom has since been returned to prison, while the Inspectors have the assurance that many of these recipients of mercy, are conducting themselves with propriety, and pursuing honest and industrious callings. The proportion of pardons at Sing Sing is 1 in 17 for males, and 1 in 73 for females; at Auburn 1 in 14, and at Clinton 1 in 12; while during the previous year they were 1 in 46½ at Sing Sing, 1 in 30 at Auburn, and 1 in 23 at Clinton.

The more liberal exercise of the pardoning power has created a desirable influence in the prisons, strengthening the hopes of the long sentenced, stimulating all to industry and obedience, and lightening the duties which devolve upon the police departments.

The total number of punishments at the Sing Sing prison in the past year was 233, being one less than in 1850, with an increase of a daily average of 61 convicts. Here the punishments average 1 in 30. At Auburn they amount to 337, being 8 more than in 1850, or 1 in 24, but with a daily increase of 39 convicts. At Clinton they amount to 47 or an average of 1 in 24.

The modes of punishment are prescribed by the Inspectors, and are generally trifling in their nature. The use of the shower-bath has been found a salutary corrective, and another year's experience confirms our previous impressions, that its effects upon the physical system are harmless in all cases, while in some they have proved truly beneficial.

The decreased amount of punishments in all the prisons, and the vastly improved state of the government, are to be attributed more to the humane system of discipline, the efforts made for moral and intellectual improvement, and to the better manner in which the convicts are clothed and fed, than to any change in the characters of the persons received. As the old convicts are discharged, or become more familiar with the present mild system, less difficulty is found in controlling the prisons, and the Inspectors are not without hope, that the day is not far distant, when prison punishments will be unknown, or confined to but a very few, and they of that incorrigible class who never willingly yield to wholesome restraint.

The cost of provisions for both the male and female prisons at Sing Sing, during the past fiscal year, amounts to \$23,122.04, which, with a daily average of 796 convicts, is 7 cents and $7\frac{1}{2}$ mills per daily ration, being $8\frac{1}{2}$ mills less than in 1850. This shows a clear saving of \$4,538.67 in the victualling department of these prisons as contrasted with the previous year, notwithstanding a daily increased average of 21 convicts have been supplied. In addition to this favorable pecuniary result, the convicts have been furnished with the very best of provisions, and the frequent inquiries of the Inspector in charge, have scarcely elicited a single complaint of either quality or quantity. A saving of provisions has been made at this prison, and the comfort and health of the convicts greatly promoted by the introduction of the table system.

The total cost of rations at the Auburn prison, for the year, was \$21,892.05, being \$3,642.35 more than their cost in 1850. The daily average cost per ration in 1850, with a daily average of 661 convicts, was 6 cents and 7 mills. The past year, with a daily average of 752 convicts, the average cost per ration is 7 cents and $\frac{7}{8}$ mills.

At the Clinton prison the cost of the rations for the past year, the daily average of convicts being 114, was \$3,536.85, or 8½ cents per daily ration.

The excess of cost of rations at Clinton is attributable to the fact that the supply of a smaller number of convicts, costs more in proportion.

There have 22 deaths occurred at the Sing Sing prison, 19 males and 3 females, being equal to 1 in 42½ of the daily average of males, and 1 in 24 of the females.

At Auburn 12 have died, being 1 in 52 of the daily average confined.

At Clinton, no death has occurred since 1850.

It will therefore be seen that with a daily average of 1,662 convicts in all the prisons, but 34 have died ; and when the previous habits and physical condition of these persons are considered, we cannot but conclude that for so small a bill of mortality, we are in a great measure indebted to the superior quality of the provisions, and to the judicious sanitary treatment adopted by our several physicians.

As the prison districts are now arranged, it is not probable that the number at Clinton will be increased by the ordinary course of conviction for some years to come, that prison being limited to the fourth judicial district, which, although large in territory, embraces a sparse population, mainly composed of agriculturists, who supply but a small portion of the victims of crime.

Much of the expense incurred in keeping 113 convicts at Clinton, would not be increased were there three times that number confined there; and as their present force is inadequate to a successful prosecution of the business contemplated by the Legislature in the act establishing that prison, we would suggest the propriety of a legislative enactment, requiring the judges holding courts in such of the counties of the third judicial district as lay north of Green and Columbia, to sentence all convicts convicted of State prison offences, to the Clinton prison. This arrangement would distribute the convicts more equally among the several

prisons, and enable the agent of the Clinton prison to prosecute the business designed by the Legislature, and which the Inspectors are now earnestly laboring to establish.

As the southern counties of the third judicial district are adjacent to Sing Sing, the convicts therein convicted, could more conveniently and economically be sent to the latter prison.

We know of no other changes or alterations of the prison districts which are required at this time.

TERMS OF OFFICE.

The Inspectors beg leave to suggest an amendment to the statute, in relation to the appointment of the various officers of the several prisons, and the term for which they shall be allowed to exercise the duties pertaining thereto. By the Constitution of the State, the power of appointment to these offices is vested in the Inspectors, with the additional power of removal, without restriction or control, and without being amenable for its exercise to any tribunal or authority, save that of public opinion.

Like most other places of public trust and emolument, from long custom and confirmed habit, these offices are sought for and demanded as the reward of political influence and partizan services, and the tenure by which they are held is almost if not entirely dependent upon the fluctuation and changes of political power in the State. So long as the law regulating these appointments remains as at present, this state of things can scarcely be avoided, and the Inspectors must suffer an embarrassment from this source, until the Legislature shall provide some adequate relief by an alteration of the law.

The great importance of every office connected with our prisons, and of having proper and competent men assigned to the various stations is not in general fully understood, and can scarcely be appreciated by the public at large, who have no adequate means of obtaining the necessary information to enable them to judge of the capacity and qualifications required in this branch of the public service. Those who are entrusted with the care and di-

rection of these institutions, are called upon to perform not only the ordinary duties of a public office, but they are charged with the additional and responsible task of controlling, governing, correcting, improving and elevating the erring men committed to their care, and by their example and the influence of their own personal character and authority, endeavor to prepare them for a life of industry and respectability when they shall again enter society at the expiration of their terms of sentence. To discharge this duty acceptably requires a peculiar adaptation by nature and cultivation which few men possess, and in which many would utterly fail, who are nevertheless fully competent to conduct any ordinary business or pursuit. It requires time and experience to qualify even the most intelligent for a proper performance of the duties referred to, and it is safe to affirm that no public employment in the State demands more intelligence and preparation, and a better knowledge and appreciation of men and individual character, than the warden of a prison, or a keeper in a prison workshop.

From these considerations, the Legislature cannot fail to perceive, not only the importance of making these offices respectable, by adequate compensation and a fixed and definite period of service, but the great injury that must inevitably result to the discipline of the prisons, the welfare and comfort of the convicts, and the pecuniary interests of the State, by the frequent changes which must almost necessarily occur, upon every change of political power, in the board entrusted with their appointment. It not unfrequently happens, that as soon as an officer has become familiar with his duties; has learned the character, disposition and capacity of the several individuals under his charge, and is just prepared for usefulness in his place, the vicissitudes of political fortune sends him from his office, to be succeeded by one wholly unacquainted with its requirements, and with all his duties yet to learn.

In view of these facts, we have no hesitation in suggesting a regulation which shall relieve the Inspectors of embarrassments in this behalf, which it is difficult to avoid and impossible satisfactorily to explain, while it at the same time shall secure the

State, and the officers and convicts, from the evils necessarily attendant upon the influence of partizan politics in the government and management of our penal institutions.

To this end we would recommend the passage of an act, defining the period during which the several officers should continue in service, and providing for their removal only in cases of neglect of duty, incompetency, or gross moral delinquency in private life. The exercise of this power of removal would be guarded, and restrained within appropriate limits, by requiring a careful investigation in every case by the Inspectors, and a report to the Legislature of their action thereon, together with the reasons on which it is founded.

FISCAL CONDITION.

AUBURN PRISON.

The receipts from all sources, at the Auburn prison, during the past fiscal year, including \$8,409.04 cash balance on hand October 1, 1850, were.....	\$78,764 56
The expenditures for all purposes, during the same period, were.....	88,546 00
Excess of expenditures over receipts,.....	<u>\$9,781 44</u>
The earnings of the prison, independent of miscellaneous receipts, for the year, were.....	\$72,529 06
The expenditures for ordinary support, were.....	<u>69,897 86</u>
Excess of earnings over expenditure for ordinary support,.....	<u>\$2,631 20</u>

There was due the prison on the 30th day of September, 1851, the sum of \$3,546.49, and the liabilities of the prison over and above the amount due, at the same period, amounted to \$17,773.04.

The daily average earnings of each convict during the year, was 29 cents, and the daily average expense for maintaining each convict, was 26 $\frac{1}{2}$ cents.

A portion of the indebtedness of this prison existed previous to the commencement of the last fiscal year, and was incurred in making the necessary repairs and the erection of buildings and workshops.

There is now in progress of erection at this prison, a large and necessary stone building, which is to be fire-proof and prison strong, designed for a mess room, chapel, and hospital, the completion of which, as will be seen by the agent's report, will involve an expenditure of \$18,000. This sum, together with \$13,766.26 to aid in the payment of the existing indebtedness, making a sum total of \$31,766.26 the agent asks from the State, and we would recommend an appropriation of that amount for the purposes stated.

The number of convicts at the Auburn prison has been increasing for some years past, and great inconvenience has been experienced of late for the want of cells, and proper accommodations in the present mess room and chapel.

The hospital is badly constructed, and too contracted for the sanitary treatment of the sick, while it is destitute of the means of ventilation, and the various improvements which experience has found to be absolutely necessary in large establishments of this kind.

The completion of the new building, before alluded to, will obviate all these difficulties, while the space at present occupied by the mess room, chapel, and hospital, can be used for additional cells. This improvement was demanded, not only to accommodate the rapidly increasing number of convicts, but to enable the officers to provide for those already there in a safer, better, and more economical manner, and the Inspectors regarded its immediate erection as necessary to meet the pressing wants of the prison.

SING SING PRISON.

The receipts from all sources at the Sing Sing prison, during the past fiscal year, including a cash balance on hand the preceding year of \$3,711.06,	\$87,135 83
The expenditures for all purposes during the same period, were	79,506 82
Leaving the cash balance October 1, 1851, at.	<u>\$7,629 01</u>

In the foregoing amount of receipts is included the sum of \$12,000.00, appropriated by the last Legislature for the payment of then existing debts, and in the amount of expenditures is included the sum of \$2,502.21, expended by the agent from last years resources, in the payment of debts contracted previous to the late fiscal year. We also find, upon the prison ledger, the sum of \$2,914.62 due the State from contractors for convict labor performed during the past year, but not received by the agent at the close of his yearly accounts.

Deducting the \$12,000.00 received from the State treasury, it will be found that the total amount received at this prison, from its own resources alone, during the past fiscal year was

	\$71,424 77
The same in 1850, was,	53,479 38
Excess of receipts of 1851 over 1850,	<u>\$17,945 39</u>
In 1851, the receipts from contract labor alone were	\$68,972 28
In 1851, the receipts from the same source were . . .	48,808 43
Increased receipts from contract labor in 1851, . . .	<u>\$20,163 85</u>

The above large increase of cash receipts in 1851, over 1850, results partly from a larger number of convicts on contract employment, and partly from the fact that during 1850, many of the convicts were thrown out of contract labor by the burning of the work shops, and although their labor in building the present shops was equally as valuable to the State, it did not add to the prison finances. Notwithstanding these considerations, the

The nett earnings at the female prison for the last	
fiscal year, were,.....	\$3,585 29
The same in 1850, were,	2,665 13
	<hr/>
Excess of 1851 over 1850,	\$920 16
	<hr/>

This is a much better result than has ever been exhibited by this prison in any previous year since it was established, and although the matron attributed it mainly to the nature of the employment, we deem it but an act of justice to that lady to say, that this pecuniary improvement, as well as the superior discipline, the quiet, good order, and cleanliness for which it is distinguished, are creditable to her own judicious management, and unceasing attention to duty.

The average monthly receipts from both prisons, during the past year, was,	\$6,952 06
The average monthly expenditures for both, was,	6,625 66
	<hr/>
Excess of monthly receipts over ordinary expen-	
,.....	\$326 40
	<hr/>

By schedule F, in the agent's report, it will be seen that the receipts from earnings of the male and female prisons, fall short

of paying all their expenses, in the sum of	\$1,808 78
To this add existing liabilities incurred during the past year,	3,677 68
	<hr/> \$5,486 46

From the above deduct the sum of \$2,914 62, due from contracts for last year's labor, and avail- able for present support	\$2,914 62
	<hr/> \$2,571 84

By the inventory of the appraisers it appears, that in addition to the increase in the value of the prison land, there is an actual increase in the value of chattel property belonging to the State of	2,254 60
	<hr/> \$317 24
	<hr/>

Allowing all debts to be paid and collected which have accrued during the past year, (and we know of none which are not good,) and it will be seen that \$317.24 is the actual cost to the State for the maintenance of these prisons, during the past year, over and above the revenue arising from their own labor.

The agent deems the present resources of these prisons sufficient to provide for their current expenses, and the Inspectors are gratified in being able to add, that, without the interposition of some serious interruption of the business, the Sing Sing prisons will hereafter be able to support themselves without any assistance from the State treasury.

In their last annual report the Inspectors laid before the Legislature a list of debts existing against this prison, amounting to about \$3,000.00, all of which were due previous to October, 1850, and the most of which had been due since 1847 and 1848. An appropriation of \$13,000.00 was made in July last and has been applied to the payment of this class of debts, but owing to the delay in procuring the appropriation, the several demands were prosecuted and judgments obtained, which, by the addition of interest and costs, and small demands long due but subse-

quently presented, swelled the sum total of old indebtedness above the amount appropriated for its liquidation.

The portion of that indebtedness still unpaid is as follows :

Balance due Geo. E. Stanton upon his demand of \$3,168.91, for rations furnished in 1848,.....	\$1,790 02
William Radford & Co., for groceries furnished in 1848, now in judgment, debt, interest and costs,	571 81
Balance due Romer & Briggs for indian meal in 1848, (\$50 having been paid by the present agent,)	132 58
Marshall & Stevens' (judgment)	117 93
Clark Snow, for lumber 1850,.....	256 18
	<hr/>
Total of old indebtedness	<u>\$2,868 52</u>

A system of paying old debts by contracting new ones, has been practised to a great extent in the prisons, in past years, and has proved exceedingly injurious to their financial affairs. The new creditor has generally charged an extra profit on his goods as an offset to the loss of interest on the uncertain period of credit upon which he sold, and while the Legislature remained in doubt as to the actual condition of affairs, each succeeding year presented a new and startling amount of indebtedness. To do away with this unbusinesslike and wasteful system, the Inspector in charge directed the agent to employ the accumulating resources of the prison in the payment of its current expenses, and unless there should be a surplus sufficient to discharge the old debts, let them be the subjects of legislative appropriation instead of new demands. This arrangement has been strictly observed, and the consequence is the agent has been enabled to take advantage of the market prices, thereby making a handsome saving to the State in the cost of clothing and provisions.

Desirous of pursuing the present safe and admirable system, and keeping the prison free from any new embarrassment, we again present the above demands, as the remnant of that indebtedness which has been long due, and respectfully ask that the Legislature appropriate a sum sufficient to discharge the same.

CLINTON PRISON.

The Clinton prison was established, and its location selected, with especial reference to the making and manufacturing of iron, and it was not contemplated by the friends of the institution, nor by the State, that any other mechanical or manufacturing operations should be carried on there by the labor of convicts. The location selected is one highly favorable for testing the experiment, situated as it is, in a section of the State abounding with ore and fuel, and at present furnished with an easy access to the most desirable market.

It is greatly to be desired, that the importance of this establishment, in its relations to our citizens, should be better and more fully understood, and its advantages appreciated by the legislative authority, to an extent, at least that shall ensure to it means for a fair and satisfactory trial of its capacity to answer the ends of its creation.

It cannot be disguised, that erroneous impressions and opinions in regard to this prison, have extensively prevailed, and in the minds of many well-meaning individuals it is regarded as a visionary experiment destined to disappointment and failure. These impressions have been derived no doubt, from individuals whose feelings and interests are adverse to its success, and who are hostile to the principles on which it was founded, and the opinions referred to derive a sort of confirmation, from the results already produced, when considered alone, and without reference to the means available to the prison authorities for accomplishing the work expected of them by the public. A careful consideration of all the facts, will clearly show the injustice of those opinions and convince any unprejudiced mind that no evidence has yet been furnished sufficient to impair the confidence of the friends of this institution in its ultimate success.

For a long time previous to the passage of the act establishing this prison, the public mind had been deeply agitated on the subject of the employment of convicts in mechanical pursuits, and year after year petitions were presented to the Legislature

from a numerous and highly respectable portion of our citizens, asking to be relieved from the burthens imposed upon them in being compelled to compete with convict labor. It was earnestly contended by the petitioners that paying as they did a large proportion of the taxes of the State, it was unjust to them to be still further burthened, and crippled in their exertions, by having the labor of convicts brought directly into competition with their mechanical pursuits.

These petitions at length became so numerous, the petitioners so urgent in a just demand of their rights, that the Legislature was induced to attempt to furnish the desired relief, and to that end authorized the establishment of the Clinton prison, and directed the employment of the convicts therein, in the making and manufacturing of iron in its various branches.

This arrangement was accepted by the mechanics of the State as entirely satisfactory, and since the passage of the law, complaints in regard to convict labor have not been pressed upon the Legislature, although many will no doubt be surprised to learn that as yet no iron has been made or manufactured at the prison.

A large and substantial prison, equal in every respect to the other prisons of the State, and capable of accommodating 500 convicts, together with commodious stone buildings for the process of separating ore have been erected, and the convicts have hitherto been principally employed in raising and separating ore. It will be seen that in pursuing this branch of the business alone, and especially under the present depressed condition of the iron market, a quantity sufficient for its ordinary support cannot be separated and sold.

The following statement exhibits the quantity of ore separated and sold during the years 1848, 1849, 1850, and 1851, and there is no substantial reason to believe, that for many years to come the demand will exceed from 6,000 to 8,000 tons, realizing from \$18,000 to \$20,000 :

The whole amount separated and sold during					
the fiscal year ending September 30th, 1848, was					\$337 49.
"	"	"	"	1849,	8,616 60
"	"	"	"	1850,	21,119 12
"	"	"	"	1851,	16,771 08
The expenses of the prison during the same years					
were as follows: in 1848,					39,900 98
" " 1849,					50,126 47
" " 1850,					37,693 37
" " 1851,					37,958 13
The legislative appropriations during the same					
period, were as follows: in 1848,					40,487 47
" " 1849,					39,000 00
" " 1850,					20,000 00
" " available, 1851,					15,500 00

By this, it will be seen, that the income derived from the sales of ore for the last three years, has contributed much to the support of the prison, but without the annual appropriation would have fallen far short of the amount necessary for that purpose.

In view of these facts, and of the prospects for the future, the policy to be pursued in relation to the prison, assumes an importance deserving the serious consideration of the Legislature. It cannot be pretended that the intention and designs of the founders of this institution has ever been carried out, or the public expectations fulfilled. No works for the "making and manufacturing of iron," have been erected, and it may be asked why, with a law authorizing the construction of suitable works for this purpose, it has not long since been accomplished. The reason is to be found in the fact that no sufficient means have ever been provided for that purpose, and that the appropriations made by the Legislature since the erection of the prison, have never been more than sufficient to complete the buildings and the support of the establishment for the then ensuing year. Under these circumstances the Inspectors and the agent have not felt themselves at liberty to involve the State in debt to the amount necessary for erecting the proper works, nor to commence the more expensive operations without the sanction of the Legislature.

Without entering at all into the merits of the discussion in relation to the competition of prison labor with the mechanic interests of the State, the Inspectors beg leave to submit, whether good faith to a large and influential class of our fellow citizens, as well as sound policy, does not require that the original design of the Legislature in the establishment of this prison, should be fully carried out, and that the necessary appropriation for this purpose should be made.

In order to carry out, so far as practicable, the requirements of the laws passed in regard to this prison, and at the same time avoid the necessity of incurring any considerable amount of indebtedness, the Inspectors have taken the necessary steps towards the erection of a small forge of six fires, which it is believed will not cost, aside from the labor of the convicts in their construction, over \$2,000, and when completed will give profitable employment to about thirty convicts.

After a careful examination of the laws passed in regard to this prison, the Inspector who has had the principal charge of it for the last year, has arrived at the conclusion that the original design of its establishment cannot be more effectually secured than by the erection of a blast furnace for the manufacture of pig iron. It was the intention of the former officers of this prison to have adopted this plan, and they were only prevented by want of the requisite funds.

A large sum (far short, however, of the amount expended at either of the other prisons,) has been expended at this prison, but it is idle to suppose that it will yield any adequate return, with the plan on which it was founded not half carried out, and while suffering, as it constantly does, the embarrassment of a want of the necessary means and number of men successfully to test the experiment proposed in its erection at this point. Good faith towards the mechanical interests of the State, would seem to require that the Legislature should provide the facilities for a fair and faithful trial, and that the hopes and expectations of the individuals and classes interested in its success should not be doomed to disappointment.

No exact estimates have been made in regard to the income that would probably be realised to the State from a furnace of the description recommended. It is believed, however that the erection of this establishment will be found beneficial to the State furnishing a revenue which shall be a fair equivalent for the expenditure, and in which convicts can be employed with profit to the State, and in a manner that shall not interfere to the prejudice of that large class of our fellow citizens engaged in mechanical pursuits. The necessary labor in the erection of a furnace could be performed by the convicts without citizens labor, thereby saving much expense; but in order fully to complete the arrangements, a specific appropriation of \$15,000 to \$20,000 will be necessary.

Many of the difficulties under which this prison has heretofore labored, have been recently removed. Two years since, it required from 36 to 40 hours to reach the prison from Albany, travelling a portion of the way over roads almost impassable for teams. Now the entire distance, with the exception of 16 miles by plank road, is performed by steam, in about one-fourth the time formerly required; and within the period referred to, six different railroad lines have reached the banks of Lake Champlain, where previously there were no railroads within the State reaching the waters of that lake. Other lines are in progress of construction, so that this section of the State, and this prison will no longer be excluded from the market.

In point of position, it will be seen that it enjoys advantages, which, if not equal to the other prisons in this respect, is highly favorable to the development of its resources, and the success of its industrial operations.

The objection which has sometimes been urged, that convicts cannot safely be entrusted with the manufacture of iron, is now known to be entirely without foundation. Many branches of business are carried on in the other prisons requiring far more of skill, and care, and faithfulness of the convicts engaged, than would be necessary to manufacture iron from the ore, and no difficulty is experienced in securing a satisfactory performance of the most delicate work.

The total amount of cash receipts from all sources at the Clinton prison, during the past year, was.....	\$25,864 10
The total amount of disbursements for all purposes, was,.....	25,958 13
Excess of expenditures over receipts,.....	<u>\$94 03</u>

The indebtedness of this prison at the close of the last fiscal year was about \$12,000.

The nett amount of earnings of the convicts at this prison during the fiscal year, including the estimated value of their labor upon buildings, repairs and necessary improvements about the grounds, is \$20,016.65, and the daily average of convicts being 114, the earnings of each amounts to \$215.05. A large proportion of these earnings, however, although valuable to the State in the improvement of the prison property, is not available for its support.

The last Legislature appropriated \$8,000.00 for the payment of the debts of this prison, existing prior to October, 1850, but the law was encumbered by a provision which rendered \$5,000.00 of that sum unavailable. and while the money remains in the treasury, that amount of indebtedness has been added to the liabilities incurred during the past year.

Upon careful estimates of the income and expenditures at this prison during the present year, it is found that the following appropriations from the State treasury, will be necessary to meet its actual demands.

For the payment of the debts existing prior to the 1st of October, 1851,.....	\$12,000 00
For current expenses and support the present year,	13,000 00
	<u>\$25,000 00</u>

Should the foregoing suggestions of the Inspectors in relation to the manufacture of iron, be approved by the Legislature, which we trust will be the case, a further appropriation of

\$15,000.00, will be necessary to erect the requisite buildings, furnaces and machinery.

PRISON ASSOCIATION.

The warden of the Sing Sing prison, has called our attention to another attempt of a committee from the New-York Prison Association, to usurp his authority and interfere with his management of the prison. It appears that the warden extended to this committee the same privileges and facilities for prosecuting an examination, which were claimed and exercised by the committee of the Legislature who lately investigated the affairs of this prison, and also by his Excellency the Governor of this State, but this was declined because the warden insisted upon retaining the control of the prison, and being present when they entered it. The course pursued by the warden is in pursuance of the recorded rules and regulations of the Inspectors, and his conduct merits an expression of our approbation as a prudent and faithful officer.

The 4th section of the 5th article of the constitution of this State, declares that the "Inspectors shall have the charge and superintendence of the State prisons, and shall appoint all the officers therein." The extraordinary claim set up by the Prison Association is predicated upon a provision of their charter which was granted previous to the adoption of the Constitution. Were it otherwise, it is not presumed that the Legislature would create a power inconsistent with the spirit and letter of the organic law of the State, and conflicting with and subversive of the authority of officers created by that instrument.

For some years previous to January 1848, the Prison Association exercised an undue influence in the management of the Sing Sing prison. Whatever the members of that association may have designed to accomplish, their labors were certainly unattended with any benefit to the State, the prison, or the convicts. At that time the prison was found to be nearly fifty thousand dollars in debt, and upwards of three hundred convicts were without productive employment. Notwithstanding the lash was freely used, and sometimes to an inhuman extent,

the cruel lacerations of which were witnessed by officers and members of that association, yet the discipline could scarcely have been in a worse condition. A general complaint existed among the contractors that the industrial affairs of the prison were neglected, that the convicts did not perform a reasonable amount of labor, and some of them have subsequently recovered heavy damages for non-performance of the contracts on the part of the State.

Itinerant phrenologists were introduced to examine the heads of convicts by way of ascertaining if they had been rightfully convicted, and the entire prison seemed to have been surrendered to the wild and senseless speculations of sham philanthropists and hollow hearted fanatics.

From this lamentable condition this prison has arisen to one of comparative prosperity. By the aid of the State the enormous indebtedness has been discharged, and the earnings of the convicts will now defray ordinary expenses. Several calamitous fires have intervened, but the energy and industry of officers and convicts have erected spacious fire-proof workshops upon the ruins of those destroyed.

The introduction of the Croton water has been completed, the Hudson River railway through the prison grounds has been constructed by convict labor, a massive stone building for mess room, chapel, and hospital has been erected, and all the prison buildings re-covered with slate.

While these works have been going forward, the contractors have been supplied with men, and new contracts have been made as fast as convicts could be spared from the State work.

We doubt if there is a penal institution in the world, in a better condition in every point of view, than the Sing Sing prison at this time. In the moral department, our chapels are crowded upon the sabbath by attentive, and apparently interested congregations, and the bible, prayer-book, and useful standard works, have been substituted for French romances, and essays upon association and fourierism.

An Inspector always in charge, keeps constant watch of the provisions and sanitary treatment, listens to the complaints of every convict, and compels every officer faithfully to perform his duty. Such is the condition, and such the management of all the prisons, and we doubt if it is within the scope of human wisdom to devise a more judicious or humane system for the safe keeping and moral improvement of this erring class of mankind, than we are now laboring to carry out under the law of 1847. With our knowledge of the past and present, we shall long hesitate before we consent to have the present prosperity disturbed, and a system of mild and salutary discipline, which has been perfected by patience, forbearance and practical experience, destroyed by the meddlesome interference of any irresponsible association.

We wish it distinctly understood that we earnestly court investigation. We have nothing to disguise, and there is not a single feature in the present management or discipline of any of the prisons, we would not gladly expose to public view. Our prison doors are open to the public, and hundreds visit them daily from almost all parts of the world. But in the successful management of this class of persons every thing depends upon discipline, an implicit obedience of orders, and a strict compliance with rules.

The Inspectors must obey the law under which they act, and any departure from its provisions renders them answerable to your jurisdiction and liable to impeachment and removal. On the other hand their authority must not be divided with, or trampled upon by others, and their rules and regulations must be strictly enforced by the subordinate officers. If the intelligent and respectable portion of the Prison Association entertained views different from us, and really imagine that they possess a co-ordinate power in the management of these institutions, it may be an act of charity upon the part of your honorable body to disabuse them of that impression, which would relieve your prison officers from much uncourteous interference and the expense and trouble of further litigation.

The system of instruction adopted under the laws of 1847, has been continued at all the prisons, by competent teachers who are

under the immediate supervision of the several chaplains, and whose labors have been attended with considerable advantage to many of the convicts individually, and have imparted a reforming influence to all. The reports of the chaplains and the accompanying communications of the teacher, detail particularly the advancement made in this department, and give us the renewed assurance that important benefits are resulting to the moral and mental condition of the convicts by the institution of schools among them. Those reports also contain suggestions worthy of consideration, and we would respectfully refer them to your inspection.

Since the introduction of the table system of eating at Sing Sing, the hours of labor correspond with those at Auburn, a table of which will be found attached to the report of the agent of that prison.

The warden of the Sing Sing prison has again called our attention to the subject of a wall about the prison buildings. This matter has been urged upon the Legislature for several years past, and every day the necessity for that improvement becomes more apparent. Lately contractors have presented claims for goods stolen from their workshops, during the hours when the prison is closed, and urge their payment on the ground of the exposed position of the property.

The warden truly sets forth the dangers and difficulties which he constantly has to contend with in the absence of the required wall, and we can only refer to his report and renew our solicitations that your honorable body will pass an act authorizing this improvement, and providing the means for its construction.

The agent of the Sing Sing prison has referred to a number of suits instituted against him and his predecessor, to recover damages, pretended or otherwise, arising from fires in the prison, and other causes, in years past. The fire upon which one of these suits was instituted, occurred in 1843, and the judgment rendered for the plaintiffs was considered so manifestly unjust, that the late agent, under the advice of counsel, carried up the cause upon a bill of exceptions, where it is still pending.

Without intending to prejudice the just claims of any party, truth compels us to say that in very many of these cases, suits are instituted for the recovery of damages, and urged with remarkable pertinacity, when, if the contracting party were an individual instead of the State, they would not be entertained for a moment.

It is not pretended that the investment of capital, and the disposition of property, where, to a considerable extent, they are at the mercy of convicts, many of whom are constantly irritated by what they conceive to be the hardships imposed by the contractors, does not involve an extra degree of hazard, and as an evidence that this is a general understanding, the services of the convicts are obtained by the contractors at a much lower price than is paid for similar services out of the prison. Remove the hazard and danger which ever have and ever must attend the investment of capital in our prisons, and there is no reason why convict labor should not command as high a price as that of other men engaged in similar employments; yet contractors, who take advantage of this consideration, and obtain the services of these men at prices ranging from fifty to seventy-five per cent. below the usual standard, insist that the State shall assume all the risk, and shall even make good the damages which arise from causes which are either accidental, or beyond the ability of man to account for. As the expense of defending suits of this kind, to say nothing of the trouble and loss of time incurred by the officers, is becoming an item of some importance, we have thought it proper to call the attention of the Legislature to the subject, that, if possible, a remedy may be provided.

For the conditions of the contracts existing in the several prisons, as well as for detailed statements in relation to all matters connected with the finances, property and business transactions, we would respectfully refer to the accompanying reports of the several agents.

All of which is respectfully submitted.

ALEX. H. WELLS,
DARIUS CLARKE,
W. P. ANGEL,
Inspectors of State Prisons.

DOCUMENTS
IN RELATION TO AUBURN PRISON.

AGENT'S REPORT.

STATE PRISON, AUBURN, }
December 1st, 1851. }

To the Inspectors of State Prisons:

Gentlemen—In conformity with the requirements of the statute, I herewith present you a statement of the fiscal operations of this prison during the year commencing October 1st, 1850, and ending September 30th, 1851.

By reference to "Statement A," it will be seen that the total amount of cash received from all sources during the year, including cash balance on hand September 30th, 1850, was

\$78,764 06

And the total amount of expenditure for all purposes was

88,546 00

Leaving a balance against the prison September 30, 1851, of.

\$9,781 94

The earnings of the prison during the year "Statement B," amount to

72,529 06

And the expenditures for ordinary support during the same time,

69,897 86

Excess of earnings over the amount paid for ordinary support,

2,631 20

The cash resources September 30th, 1851, were "Statement C,"

3,546 49

The inventory of State property on hand at that date amounts to "Statement E,"

27,681 42

An increase over last year of.

969 12

The daily average number of convicts was 752, an increase over last year of 91.

The daily average earnings of each convict was 29 cents, which contrasted with last year shows an increase of 7 mills.

The daily average expense of each convict was $26\frac{2}{3}$ cents.

The daily average number of convicts employed on contract was 643.

The daily average earnings of each convict actually employed on contract was $45\frac{3}{4}$ cents, an increase over last year of $1\frac{1}{4}$ cents per day.

The outstanding debts against the prison on the 30th day of September last were for building materials, labor, &c.,.....		\$3,160 61
Labor and materials for new chapel, mess room, hospital and dining hall,.....		4,006 28
For general support,.....		4,370 70
Total indebtedness,.....		<u>\$11,537 59</u>
From which deduct resources contained in "statement C," amounting to,.....		3,546 49
Leaving an indebtedness of,.....		<u>\$7,991 10</u>
To which add balance on the 30th September against the prison,.....		9,781 94
Leaving a total indebtedness for all purposes of,....		<u><u>\$17,773 04</u></u>

You are aware gentlemen, that I entered upon the duties of agent on the first day of April last, six months of the fiscal year having elapsed. During the six months that I have discharged the duties of agent, I have ascertained that the indebtedness for all purposes other than for the building of the new hospital, chapel, &c., (contracts for the labor and materials of which had been made by the late agent,) amounted at that date to the sum of, \$13,567 65

Of which for building, repairs, &c., at the time was, 8,619 71

Leaving bills contracted for ordinary support and unpaid of,..... \$4,947 94

At the same time I found a scanty supply of clothing and bedding, about one hundred barrels of beef was the principal supply then on hand, and of course every article needed for ordinary support had to be supplied.

It will be perceived by reference to "statement A," that the payments for rations amount to \$21,892.05, which is an excess over last year of \$3,643.35.

Also the amount paid for stock, tools, materials, &c., was \$4,119.37, an increase over last year of \$3,945.30.

This *apparent* increase arose in consequence of the fact that the expense for wool, leather, ticking, &c., has this year been charged to the account of "stock, tools, materials, &c.," instead (as formerly) to that of clothing and bedding.

The disbursements for the pay of officers during the

year was,	\$27,199 55
Excess over last year of,	2,370 59.

a larger number of officers being deemed necessary in consequence of the increased number of convicts.

In regard to the inventory of the property belonging to the State, a large amount was appraised at less prices than last year, it being considered as valued at too high rates in the former inventory, although worth as much now as at that time.

The amount paid for ordinary support this year being \$69,897.86, shows an increase over the amount paid last year (which was \$56,165.87) of the large amount of \$13,731.99, but in order to make the figures appear as in strict justice they should, it is proper to add to the account for ordinary support of last year the sum which has been paid in this year, which, it is fair to presume, was not less than the amount then found due, which was \$4,947.94.

The above, deducted from the account for ordinary support this year, makes the actual expense amount to \$64,949.92, which only exceeds the last year the sum of \$3,836.11, and is probably as near the true state of expenditure under that head as possible

Taking the above estimate into consideration, the actual expense for the support of each convict $23\frac{3}{8}$ cents, instead of $26\frac{1}{8}$ cents as hereinbefore stated.

In order to show the actual excess of earnings, over ordinary support, the above sum of \$4,947.94 (being the amount paid during this year for indebtedness incurred for ordinary support of last year) should be added to the sum of \$2,631.20 herein before stated as the excess of earnings for the present year, which would show the actual amount of earnings over ordinary support of this, to be \$7,579.14 ; and also contrasting this year's excess of earnings, over ordinary support, with that of last year, the sum of \$4,947.94 should be deducted from the sum reported as the excess last year, which would make that amount to \$7,468.94.

The work on the new mess room, chapel, hospital &c., which was commenced by the late agent, has been, under the instruction of your board, continued by me. The building is 225 ft. long and 60 ft. wide, the first story for mess room, to be 14 ft. in the clear, and the second story for chapel and hospital, to be 24 ft. in the clear; the walls are 3 feet thick, of lime stone, the outer doors to be made of iron, all the windows to be grated, and the whole to be made prison strong.

The foundation has been laid and walls raised some $4\frac{1}{2}$ feet above ground to the window sills, all the stone for caps and sills for doors and windows are cut and delivered. I have suspended all the mason work and covered the walls, to secure them from the storms during the winter. I intend to re-commence building operations as early (as the weather will permit) in the spring; the crowded state of the present dining hall, renders its speedy completion of the utmost importance to the comfort and health of the convicts.

I have completed for the dye house, by order of your board, one shop 27 ft. wide, 60 ft. long, 2 stories high, and one shop 16 ft. by 52, and one shop 31 ft. by 16 ft., the last built of brick, the others built of wood and filled in with brick. I have built a brick building 24 ft. by 30 ft. for soap house with a fire proof vault for ashes, also a blacksmith shop 14 by 26 feet for the use

of the men in State employ, a brick coal house 16 by 20 feet for the machine shop, and rebuilt, and laid in hydraulic cement, one of the large reservoirs in the centre yard. About 1000 feet iron water pipe, from 4½ to 7 inches in diameter, has been laid down in the yard for the better accommodation of the prison, and more effectual security against fire. For the accommodation of the machine contracts a building, 27 by 104 feet, has been completed to be used for the manufacture of iron boilers.

The tool shop has, during the last year, undergone thorough and expensive repair, and has been extended 60 feet. The roof has been trussed and the columns, which formerly so much obstructed the shop, taken out, additional windows put in and floor repaired. This shop is in good condition and will not need further expense. It is now capacious enough for the accommodation of the increased number of men on that contract.

The cooper shop has had a number of new windows inserted and will not need further repairs at present.

The stone wall, dividing the cooper's and tool shop yards, I have removed, which enables the guards on duty on the east cross wall to have a clear view of both yards. A road has also been McAdamized from the north gate to the wood house, a distance of about 1,500 feet.

When the buildings for chapel, mess room and hospital are completed we shall not require any more buildings for prison use. The shops being new no extensive repairs will be needed upon them, and for years to come, this Prison will not be subjected to any large expenditures for building purposes with the exception of new roofing the main buildings, which will be necessary.

The great necessity for more ample room for the hospital department, better ventilation, the crowded condition of the dining hall, its low ceiling and dampness, render it very important and necessary that the improvements commenced should be completed with as little delay as possible.

The following estimate will show the amount necessary for the completion of the building, and also cancel the general indebtedness of the prison :

Estimated cost of mess room, chapel and hospital,.	\$18,000 00
Am't to pay general indebtedness for all purposes,	13,766 26
	<hr/>
	\$31,766 26
	<hr/>

In order to complete the above building and pay off the existing indebtedness of the prison it will be necessary to obtain aid from the State by way of a loan or otherwise, the opinion being confidently entertained that the future surplus earnings will within a few years reimburse the amount which the unfinished condition of the buildings and the existing indebtedness of the prison, now render in my judgment indispensable to be advanced by the State.

I have deemed it my duty to thus present to you the present financial condition of the prison, and to suggest the course that seems to me to be necessary in order to relieve it from embarrassment, and to put it in such a position as the best interests of the State seem to require.

All of which is respectfully submitted.

C. W. POMROY,
Agent.

STATEMENT A,

Showing the cash received from all sources during the year ending September 30th, 1851.

Cash balance on hand Sept. 30, 1850,.....	\$8,409 04
Cash received from	
Cabinet shop, Hewson, Parsons & Se-	
goine,.....	\$7,140 90
Tool shop, Casey, Ketchell & Co.,.....	7,823 77
Machine shop, Beardsley, Keeler & Cur-	
tis,.....	6,406 21
Carpet shops, Josiah Barber,.....	29,178 84
	<hr/>
Carried forward,	\$

Brought forward,.....	\$	\$	
Shoe shop, E. P. Ross,.....	5,583	57	
Cooper shop, Van Tuyl & Freeoff,.....	3,614	45	
Hame shop, Hayden & Letchworth,...	5,769	76	
			<u>65,517 50</u>
Visitors,.....	\$1,699	00	
Convicts' deposits,.....	145	30	
For rations sold,.....	1,714	21	
" building and repairs, (lumber sold)	11	48	
" firewood, oil, &c., (wood sold)....	28	00	
			<u>3,597 99</u>
On account of prison:			
For United States convicts,.....	\$773	82	
" swill, old kettle, mill stones, &c.,.	215	71	
" rent,.....	170	50	
" 2 horses,	80	00	
			<u>1,240 03</u>
Total receipts,.....			<u><u>\$78,764 56</u></u>

Cash expended during the year ending Sept. 30th, 1851, as follows:

For rations,.....	\$21,892	05
" hospital,.....	543	50
" clothing and bedding,.....	3,716	66
" building and repairs,	19,439	14
" firewood, oil, &c.,.....	4,407	96
" hay, grain, &c.,.....	163	23
" stock, tools, &c.,.....	4,119	37
" furniture,	448	04
" printing and stationery,.....	315	38
" discharged convicts,	1,488	40
" salaries of officers,.....	19,528	59
" pay of guards,.....	7,671	00
" miscellaneous,.....	4,812	68
Total expenditures,.....	<u><u>\$88,546</u></u>	<u><u>00</u></u>

STATEMENT B,

*Showing the earnings of the Auburn State prison for the year ending
September 30th, 1851.*

Cabinet shop.

Hewson, Parsons and Segoine, contractors for convict labor,.....	\$7,140 90
--	------------

Tool shop.

Casey, Ketchell & Co., contractors for convict labor,	7,823 77
---	----------

Machine shop.

Beardsley, Keeler & Curtis, contractors for convict labor,.....	6,406 21
---	----------

Carpet shop.

Josiah Barber, contractor for convict labor,.....	31,735 87
---	-----------

Shoe shop.

E. P. Ross, contractor for convict labor,.....	5,583 57
--	----------

Cooper shop.

Van Tuij & Freeoff, contractors for convict labor,.	3,614 45
---	----------

Hame shop.

Hayden & Letchworth, contractors for con. labor,.	5,769 76
---	----------

Prison.

Rent, swill, &c.,.....	\$386 21	
Support of U. S. convicts,.....	635 63	
Visitors,.....	1,699 00	
Add for sales of sundry articles purchased for prison use and reckoned as part of the expenditures,.....	1,833 69	
		<u>4,454 53</u>
Total earnings,		<u><u>\$72,529 06</u></u>

STATEMENT B—(Continued.)

Showing the expenditures for ordinary support, &c., during the year ending September 30th, 1851.

Total amount of expenditures during the year as per "Statement A," \$88,546 00

From which should be deducted, for

Extraordinary building and repairs,

Payments on new machine shop,

" " rug "

" " brussels, "

New soap house,

" boiler shop,

" wood house and blacksmith shop,

Water pipe through the walls, and for a portion of materials for mess house and hospital, &c., about.....\$16,862 61

Extra printing and stationery.

Advertising proposals for convict labor, 17 19

" notice of applications for

pardons, 5 50

School books, registers and blank work, 59 19

Miscellaneous:

Costs in Hill's and Barber suits,.. ... 847 26

Judgment and interest in favor of H H.

Cooley & Co.,..... 309 39

Gas fixtures, pipes, burners, brackets &c. 547 00

18,648 14

Actual expenditures for general support,..... \$69,897 80

STATEMENT C,

Showing the resources of the Auburn State prison September 30th, 1851.

Accounts.

United States, support of U. S. convicts,.....	\$535 63
Josiah Barber, convict labor, September earnings,.	2,557 03
A. H. & J. Burt, grease sold,.....	67 70
Douglass & Billings, brick sold,.....	286 00
Sundry accounts against different individuals for wood, job work, &c.,.....	100 13
Total cash resources,.....	<u>\$3,546 49</u>

STATEMENT D.

Synopsis of Inventory of State Property of the State prison at Auburn, September 30th, 1851.

Rations—Pork, potatoes, wheat, corn, molasses, &c.,	\$2,316 14
Kitchen—Stoves, caldrons, cans, tubs, tables, pails, desk, &c.,.....	1,223 56
South wing—Stoves, hammocks, tubs, furnaces, &c.,	800 58
Chapel—Benches, chairs, stoves, stools, brooms, desk, &c.,.....	139 06
North wing—Hammocks, mattresses, blankets, stoves, tubs, &c.,.....	1,735 48
Old hospital—Lamps, globes, lumber, mattresses, stoves, &c.,.....	130 13
Wash room—Caldrons, tubs, boards, pails, machine, hand wagon,.....	106 68
Armory—Stoves, lamps, desk, benches, &c.,.....	28 25
Gun room—Muskets and accoutrements, stands, powder and ball,	235 25
Guard house—Andirons, stoves, desk, chairs, pails, tubs, brooms, &c.,	8 75
Wheel house—Stove, rake, wrenches, hooks, ham- mer, ladders, &c.,	38 40
Carried forward,	<u>\$</u>

Brought forward,	\$	
Dead room—Old tools, old castings, brooms, stove, baskets, &c.,		169 95
Barbers' shop—Stove, sink, kegs, glass, stands, chairs, &c.,		17 70
Fire-engine house—Engine and hose, sleds, benches, buckets, stove, &c.,		1,469 38
Stable—Horse, carriage, waggon, harness, hay, oats, &c.,		303 18
Coopers' shop—Stoves, desk, kids, tubs, pails, chair, &c.,		85 35
Tool shop—Stove, desk, chairs, tubs, pails, kids, &c.,		64 38
Hame shop—Desk and fixtures, stoves, cups, tubs and pails, towels, &c.,		55 60
Carpet shops, (5,)—Desks, chairs, stoves, tubs, pails, kids, cans, &c.,		246 50
State shop—Lumber, cast pipe, paints, tools, stoves, plaster, &c.,		1,948 05
Lower yard—Cast shafting, drums, pullies, shanty, pumps, &c.,		118 00
Soap house—Barrels, caldrons, grease, pails, tubs, tools, ashes, &c.,		171 73
West yard—Timber, steam-pipe, pumps, caps and sills, &c.,		685 36
State cellar—Engine and hose, stoves, burr stones, old iron, hinges, &c.,		350 12
Machine shop—Shafts and pullies, steam-pipe, desk, chairs, tubs, pails, &c.,		1,506 80
Cabinet shop—Steam-engine, shafts, wheel and gearing, desk, &c.,		1,604 86
Shoe shop—Stove, desk, wardrobe, benches, tools, shoes, stock, &c.,		537 54
State tailor and lace shop—Stove, desk, benches, clothing, cloth, yarn, tubs, &c.,		6,343 86
Dry room—Stoves, kettles, benches, cloths, poles, &c.,		16 00
Spin shop—Carding machine, shafts, pullies, belts, pails, &c.,		1,000 36
Carried forward,	\$	

Brought forward,.....	\$	
South attic—Window frames, old machinery, doors, &c.,.....		29 60
Agent's office—Stove, sofa, chairs, desk, book case, tables, &c.,.....		154 50
Keepers' hall—Clock, stove, chairs, desk, pails, keg, &c.,.....		34 63
Clerk's office—Clock, stove, desks, safe, stationery, chairs, &c.,.....		604 46
Warden's apartments—Stoves, cupboards, tables, oil cloth, clocks, &c.,.....		119 75
Warden's kitchen and hall—Gas fixtures, settees, &c.,.....		518 00
Chaplain's office—Desk, book-case, wardrobe, table, books, &c.,.....		909 25
Clothes room—Clothing, hats, caps, boots, shoes, &c.,.....		532 75
Hospital—Medicines, instruments, apparatus, cots, stoves, &c.,.....		1,147 48
Front gate and yard—Bells, yokes and fixtures,...		174 00
Total,.....	\$	<u>27,681 42</u>

STATE OF NEW-YORK, } ss.
Cayuga county, }

Charles W. Pomroy, agent, and William B. Smith, clerk of the Auburn State prison, being duly sworn, depose and say, that the foregoing synopsis is correct and true, according to the best of their knowledge and belief.

C. W. POMROY, *Agent,*
WILLIAM B. SMITH, *Clerk.*

Subscribed and sworn before me, }
this day of Dec. 1851. }

D. CLARK, *Inspector of State Prisons,*
and Inspector in charge.

AUBURN PRISON, }
Nov. 1, 1850. }

To the Inspectors of State prisons:

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support, &c. of said prison during the month ending Oct, 31st, 1850.

Balance brought from September acc't,..... \$8,409 04

Cash received this month, from

Carpet shop, Josiah Barber,.....	\$2,699 28	
Hame " Hayden & Letchworth,...	448 86	
Tool " Casey, Ketchel & Co., ...	400 00	
Cabinet, " Hewson, Parsons & Se-		
goine,.....	628 06	
United States convicts, for support of, ..	773 82	
Convict deposits,.....	5 06	
Visitors, 817 persons,.....	204 25	
	<hr/>	5,159 33
		<hr/>
		\$13,568 37

Cash expended this month, for

Rations.

Chauncey Pease, 183 $\frac{1}{8}$ bushels corn, ..	\$109 90
James R. Hadden, 30 $\frac{1}{8}$ " " .	18 40
Aaron Hayden, 10 " beans, ..	10 00
H. T. Dickinson, 1,092 lbs. beef,.....	27 30
E. & J. Osborn, 2,183 lbs. "	54 58
Wilcox & Co., 1,816 $\frac{1}{2}$ lbs. "	45 42
James R. Hadden, 26 $\frac{1}{8}$ bushels corn, .	16 08
Cook Tyler, 31 $\frac{1}{2}$ bushels potatoes,.....	7 88
I. T. Carr, 1,340 lbs. beef,.....	40 20
D. H. Foster, Jr., 464 lbs. beef,.....	13 92
James L. Treat, 30 $\frac{1}{4}$ bushels turnips, ..	7 68
John E. Patten, 1,450 lbs. beans,.....	36 25
Amos Hoadly, 13 $\frac{1}{4}$ bushels beans,.....	13 50
Isaac Sheldon, 1,716 lbs. mutton,.....	42 90
James Warner, 8 bushels beans,	8 00

Carried forward, \$

Brought forward,.....	\$		
I. S. Fowler, 19 bushels beans,.....		19	00
H. T. Dickinson, 1,800 lbs. beef,		45	00
Francis Hunter, 10 bushels potatoes,..		4	40
A. H. Dickins, 22 bushels beans,		22	00
John E. Patten, 820 lbs. beef,		20	50
Amos Hewitt, 408 lbs. beef,.....		10	20
G. W. Reed & Co., rice, &c.,		11	41
Wm. Hills & Co., flour, grinding, &c.,.		50	03
A. C. Munger, butter, sugar, rice, &c.,		57	53
			\$692 03

Hospital.

David Mills, 98 quarts milk,		3	62
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Clothing and Bedding.

Edward Hunt, 2 coats, 1 hat,	\$5	50	
Peter McKibbee, 2 coats,.....	5	00	
James Parks, 2 coats,.....	4	50	
Clarissa Maynard, 3 coats, 2 pair pants, 1 hat, 1 pair boots,.....	12	00	
Henry H. Cooley & Co., 4 doz. pairs suspenders,.....	4	00	
Wm. Buckhout, fulling 34½ yds. cloth,	10	25	
Robert Howland, 1 coat, 1 pr. pants, 1 hat,	3	50	
Abraham Midwood, 176¾ yds. sheeps gray cloth,	88	38	
Maria T. Markham, 2 coats,.....	4	00	
George Sherwood, cloth, needles, &c., .	21	08	
H. Woodruff, cotton, flannel, sheeting, batting, &c.,.....	65	22	
F. L. Griswold & Co., canvass, wadding, buttons, &c.,.....	12	77	
Abram Marsh, 1 coat,.....	2	00	
Robert Jenkins, 2 coats, 3 pair pants, 1 vest,	10	00	
Carried forward,.....			\$248 20

Brought forward, \$

Building and Repairs.

Thomas Sherman, removing rug shop,..	\$15 50	
Loren Patchin & Co., 778 bushels lime,	97 25	
W. H. & F. Kelsey, 50,000 brick,.....	200 00	
Philip Van Arsdale, ft. lumber, .	40 00	
How & Johnson, tin, and roofing new shops,	2,228 28	
Douglass & Billings, 745 days work on new shop,.....	1,334 99	
George B. Chase, stone for new shop,..	155 12	
	<hr/>	4,071 14

Fire Wood, Oil, &c.

John W. Haight & Co., 20 gallons camphene, and barrel,	12 00
--	-------

Hay, Grain, &c.

Horace Maynard, 91 bundles straw,...	\$2 27	
A. C. Hutchings, 7 bushel oats,	2 63	
	<hr/>	4 90

Printing and Stationery.

Bryan & Moores, advertising proposals for convict labor,.....	4 75	
S. S. Riggs, do do do	4 43	
Brown & Rowe, do do	4 33	
Croswell & Shaw, advertising notice for pardon of J. D. Crowley,	4 00	
	<hr/>	17 51

Discharged Convicts.

Paid discharged convicts this month,.....	159 77.
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Furniture.

A. C Munger, 2 dozen brooms,	3 50
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Salaries of Prison Officers.

Pay roll, officers, keepers, and teachers,	1,495 73
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Pay of Guard.

Pay roll of 20 guards,	600 00
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Carried forward, \$

Brought forward,..... \$

Miscellaneous.

Zebulon Holmes, 6 days as sub. guard,	\$5 91	
Lewis Markham, 25 do do	25 00	
James M. Gale, 6 do 24 ni'ts do	32 91	
John Husk, 13 do do	13 0	
W. B. Hatfield, 1 do	1 00	
Chas. Nicholson, 5 do	5 00	
Joseph Philan, convict deposit refunded,	82	
John Blanchard, do do	5 38	
Nathan Woodmansee, do do	25	
James Parks, pricking State horse,....	5 00	
John Heany, 297 pounds tobacco,.....	47 26	
H. K. Garlin, one horse for State,	100 00	
J. H. Bostwick, twenty affidavits of agent and clerk,	2 50	
E. A. Warden, one quarter letter post- age,	14 83	
S. W. Reed & Co., one box tobacco, ...	4 63	
A. C. Munger, tobacco, brushes, British lustre, &c.,.....	8 93	
	<hr/>	272 42
Total expenditures,		\$7,580 82
Balance to new account,		5,987 55
		<hr/>
		\$13,568 37
		<hr/>

STATE OF NEW-YORK, }
Cayuga county, } ss.

Benjamin Ashby, agent, and William Andrews, clerk, of the Auburn prison, being duly sworn, depose and say that the foregoing account is correct and true, according to the best of their knowledge and belief.

BENJAMIN ASHBY.

W. ANDREWS.

Subscribed and sworn before me, }
this 11th day of Jan'y, 1851. }

JAMES H. BOSTWICK, *Justice of the Peace.*

AUBURN PRISON, }
December 1st, 1850. }

To the Inspectors of State Prisons:

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support, &c. of said prison, for the month ending November 30th, 1850.

Balance brought from October account,..... \$5,987 55

Cash received this month from

Machine shop,	Beardsley, Keeler &		
	Curtis,	\$1,063	22
Shoe	" E. P. Ross,	700	00
Tool	" Casey, Ketchel & Co.	853	96
Cabinet	" Hewson, Parsons &		
	Segoine,	573	14
Cooper	" Van Tuyl & Freeoff,.	276	45
Hame	" Hayden & Letchworth	428	84
Visitors, 334 persons,		83	50
Convict deposits,		16	60
Building and repairs, brick sold,		1	50
Prison,	millstone "	50	00
			4,047 21
			<u>\$10,034 76</u>

Cash expended this month for
Rations.

Wilcox & Co. 845 lbs. beef,	\$21	12
H. T. Dickinson, 871 lbs. beef,	21	77
Robert Black, 15 bushels beans,	15	00
Josiah Utter, cartage on potatoes,	1	50
W. G. Simpson, 9 bush. barley,	5	06
Milton Rooks, 1,842 lbs. beef,	55	26
S. L. Compton, 50 barrels salt,	43	75
John T. Carr, 525 lbs. beef,	15	75
James N. Bennet, 7½ bush. beans,	7	50
Foster Kinyon, 1,176 lbs. mutton,	23	52
John E. Patten, 1,460 lbs. beef,	36	50
Carried forward,	\$246	73

Brought forward,	\$246 73	
Foster Kinyon, 1,683 lbs. mutton,....	33 66	
H. F. Dickinson, 1,237 lbs. beef,.....	30 93	
Harvey Lyon, 96 bushels wheat,.....	90 24	
Amos Hewitt, 904 lbs. beef,.....	22 60	
Nathaniel Lynch, 617 lbs. beef,.....	18 51	
William Duryea, 776 "	23 28	
S. E. Dewitt, 963 "	28 89	
Foster Kinyon, 8,135 " \$244 05		
" 3,866 lbs. mutton, 77 30		
	<hr/>	321 35
Enos Greenfield, 920 lbs beef,.....	27 60	
Clement Doty, 312 "	9 36	
A. W. Ellis, 879 "	26 37	
Foster Kinyon, 1,779 lbs. mutton,....	35 58	
G. L. Hall, 14 bushels beans,.....	14 00	
Elon Sheldon, 17½ bushels potatoes,..	8 75	
Samuel Hewitt, 399 lbs. beef,.....	11 97	
H. S. Greenfield, 2,311 "	69 33	
Wm. Deviney, 623½ "	18 80	
John E. Patten, 530 "	13 25	
Wm. Garlock, 886½ "	25 99	
John Monroe, Jr., 8,610 "	258 30	
Enos Greenfield, 1,816 "	54 48	
H. D. Chamberlain, 2,891 lbs. beef,..	86 73	
Wm. Hills & Co., flour,.....	292 06	
A. S. Hope & Co., molasses and pepper,	380 03	
Isaac Sheldon, 580½ bushels potatoes,		
5,805 lbs. mutton,.....	340 98	
J. H. Van Arsdale, 345 lbs. beef,.....	10 35	
S. J. Hill, 369 lbs. pork,.....	14 76	
	<hr/>	\$2,514 89

Hospital.

David Mills, 121 quarts milk,	4 83
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Clothing and Bedding.

John Pattey & Son, 1 bill of leather,..	\$165 41
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Carried forward,.....	\$	\$
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Brought forward,	\$	
John Green, 4 doz. buckskin mittens,..	24	00
Wm. Buckhout, fulling 349½ yards cloth,	10	48
J. Ward, 1 coat, 2 pair pantaloons, 1 vest,	7	50
Charles A. Fitch, 4 vests,	5	00
Nancy Butler, 1 coat,	3	00
Wm. Buckhout, fulling 259 yds. cloth,	7	77
Wm. P. Brown, 1 coat,	3	00
John Husk, 2 coats, 3 pants. 2 vests, 1 hat,	10	00
Henry W. Peck, 4 pairs duck and freight,	42	80
Robert Jenkins, 2 coats, 3 pants. 3 vests,	10	00
	<hr/>	288 96

Building and Repairs.

G. W. Doud, bolts, bars, staples, hooks, hinges, &c.,	182	72
Geo. B. Markham, 80 days work as carpenter and joiner,	171	00
S. B. Brown, 100 stone window sills, 36 stone caps, 1 door sill, 2 door caps, 115 ft. flagging stone,	386	66
Chauncey Crippen, sand furnished for new shop,	172	51
Beardsley, Keeler & Curtis, castings, shafts, pullies, bolts, hinges, lead pipes, force pumps, hangers, &c.,...	271	92
B. Tuttle & Co., 16 bunches shingles,..	30	00
W. H. & F. Kelsey, 68,800 brick,	275	20
	<hr/>	1,490 01

Fire Wood, Oil, &c.

M. B. Converse, 2 cords of soft wood,.	4	50
T. Hoadly, gas for October,	176	70
	<hr/>	181 20

Carried forward, \$

Brought forward, \$

Hay, grain, &c.

C. A. Hutchins, 7½ bush. oats,	\$2 63
Horace Hayward. 200 bundles straw, ..	5 00
E. C. & J. Witherill, 1,952 lbs. hay, ..	7 80
Wm. Duryea, 50 bush. oats,	16 00

3 431

Printing and Stationery.

Greeley & McElrath, advertising proposals for convict labor,	\$7 59
J. L. H. Denio, advertising for pardon	
H. Hawkins,	1 50

9 09

Furniture.

H. W. Lyon, 9½ dozen brooms,	
------------------------------------	--

18 13

Discharged Convicts.

Cash paid discharged convicts,	
--------------------------------------	--

58 08

Salaries of Officers.

Pay roll, officers, keepers, and teachers,	
--	--

1,541 66

Pay of Guard.

Pay roll, 20 guard,	
---------------------------	--

600 00

Miscellaneous.

Zebulon Holmes, 1 mo. substitute guard,	\$30 00
John Husk, 29½ days, " "	29 50
James Quigley, 2 nights " "	2 00
J. K. Shepard, 1 mo. 15 days " "	35 00
Robert Jenkins, 15 days " "	15 00
Theron Greene, 14 days taking inventory State property,	21 00
Lawrence White, 14 days taking inventory State property,	21 00
Oliver Stahlaker, 6½ days' team work,	16 24
John Bachinstrass, cartage,	2 63

Carried forward, \$

\$

Brought forward,	\$	\$
L. E. & W. H. Carpenter, use of horse and buggy,...	1	25
James Kipp, 2 nights watching for escaped convict,	2	50
Wm. Kent, 1 ½ days fixing pump,	2	63
A. S. Hope & Co., 212 lbs. tobacco, ...	16	62
Atwater, Murford & Co., 1,237 lbs. tobacco,	284	51
Charles Stone, 431 lbs. tobacco,	90	39
James Smith, 150 feet hose, &c.,.....	103	50
J. Gould, cartage,.....	4	45
		<hr/>
		678 23
Total expenditures,.....		<hr/>
		7,416 52
Balance to new account,.....		<hr/>
		2,618 24
		<hr/>
		\$10,034 76
		<hr/>

AUBURN PRISON, }
January 1st, 1851. }

To the Inspectors of State Prisons :

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support, &c., of said prison during the month ending December 31, 1850.

Balance brought from Nov. account,	\$2,618 24
Cash received this month from—	
Carpet shops, Josiah Barker,.....	\$5,052 21
Cooper “ Chester Fanning,.....	200 00
Hame “ Hayden & Letchworth,..	413 82
Tool “ Casey, Ketchel & Co., ...	562 40
Cabinet “ Hewson, Parsons, & Se- goine,.....	577 20
Rations, beef hams sold,.....	542 45
Convict deposits,.....	25 32
Prison, rent and swill,	158 00
Visitors, 297 persons,	74 25
	<hr/>
	7,605 65
	<hr/>
	\$10,223 89
	<hr/>

Cash expended this month for rations.

Chester Gridley, 26 bushels potatoes, ..	9 75
Edgar W. Saunders, 26 bushels wheat,	37 36
Smith & Farnham, 61 lbs. beef,	1 53
Salmon Tyler, 18 bushels beans,	13 00
Enos Sheldon, 20 " potatoes,	7 50
Wilcox & Co., 338 lbs. beef,	8 45
A. Vanderbilt, 289 lbs. beef,	8 67
S. B. Bradford, 5½ bushels beans,	2 88
Jeremiah Harter, 2,663 lbs. beef,	79 89
John Munroe, jr., 8,918 lbs. beef,	207 54
A. W. Ellis, 834 "	10 02
J. M. Seloren, 1,766 "	53 98
A. Vanderbelt, 862 "	25 86
Horace Allen, 709 "	21 27
W. Brinkerhoff, 1,863 "	55 89
F. Murphy, 2,447 "	73 41
Benjamin K. Sales, 211 lbs. mutton, ...	5 27
Jonathan Reed, 3,393 lbs. beef,	101 97
H. C. Hutchinson, 889 "	26 67
J. N. Starin, 50 bbls. salt,	43 75
C. G. Briggs, ag't, freight on potatoes, salt, molasses,	100 76
H. L. Knight & Co., 14½ bushel beans,	14 44
F. L. Griswold & Co., molasses &c., ...	98 00
David Eddiff, 638 lbs. beef, 1,513 lbs. mutton,	82 00
A. W. Hollister & Co., 20 grain bags,	6 25
Enos Greenfield, 1,654 lbs. beef,	49 62
Jonathan Reed, 8,755 "	262 65
Jonathan Reed, 2,837 "	85 11
H. A. Lamphen, 16,202 lbs. mutton, ..	324 04
Isaac Sheldon, 5,782 " ..	144 55
A. J. Miller, 1,458 lbs. beef,	43 74
John E. Patten, 9,261, lbs. beef,	277 83
Enos Greenfield, 2,218 "	96 54
Foster Kinyon, 3,560 lbs. mutton,	71 38
Carried forward,	\$

Brought forward,	\$		
James L. Treat, 12 bushel turnips,....	3	00	
Philip Van Arsdale, 10,066 lbs. mutton, 1,404 lbs. beef,	283	77	
Isaac Sheldon, 8,091 lbs. mutton,	77	27	
E. & W. Osborn, 4,542 lbs. beef,	113	55	
			<hr/>
			\$2,999 16

Hhspital.

David Mills, 90 quarts milk,	3	60	
M. Ward & Co., drugs and medicines,.	247	11	
Joseph T. Pitney, medical advice,	3	00	
Richard Steele, drugs and medicines,..	5	01	
			<hr/>
			258 72

Clothing and bedding.

Lathrop & Luddington, 8 bales Suffolk and Manchester ticking,	471	11	
H. L. Knight & Co., 37½ yards crash, 98¼ yards ticking, 3 pieces handk's,.	17	58	
H. B. Pomeroy & Co., muslins, calicoes, burlaps, linens, surge, bagging, but tons, &c.,	91	78	
F. L. Griswold & Co., ticking, coats, vests, pants, sheep's gray cloths &c.,	68	91	
Charles P. Fitch, 2 coats,	5	00	
Robert Jenkins, 2 coats, 3 pants, 3 vests,	10	00	
W. F. Segoine, 1 " 2 "	5	00	
John Kilborne,	10	00	
John Chedell, 1 coat, 1 pair pants,	4	00	
John H. Hewson, 1 coat,	3	00	
John Brown, 2 coats, 2 pair pants,	9	00	
John Husk, 2 coats, 3 pants, 1 vest, 1 hat,	10	00	
			<hr/>
			705 38

Building and repairs.

Putnam & Stewart, paints, window sash, &c., for new shop,	244	75	
G. H. Doud, bolts, bars, spikes, &c., &c.,	187	38	
			<hr/>
Carried forward,	\$		

Brought forward,	\$	
Samuel Phelps, jr., 47,672 feet hemlock lumber,	476 69	
Allen & Patchin, 169½ bushels lime, ..	21 19	
Thomas Strath, 3 loads of sand,	1 12	
	<hr/>	931 13

Fire Wood, Oil, &c.,

David Blenshaw, 7 cords wood,....	21 00	
Auburn Gas Light Co., gas for Nov....	138 70	
	<hr/>	159 70

Printing and Stationery.

A. M. Clapp & Co., advertising pro- posals for convict labor.....	4 60	
E. B. Spooner,.....	5 00	
J. C. Irison, stationery.....	158 81	
	<hr/>	168 41

Salaries of prison officers.

Pay roll officers, keepers & teachers...	152 25
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Pay of guard.

Pay roll, 20 guard and extra,.....	712 00
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Miscellaneous.

James R. Cox, adding and extending inventory of State property,.....	5 00	
Auburn and Syracuse R. R. Co. frieght on,.....	2 82	
Zebulon Holmes, 1 month substitute night guard,	30 00	
John R. Shepard, do.....	30 00	
John Husk, 26 days,.....	26 00	
Nathaniel Williams, 40½ days team work,	101 25	
Hiram Lee, convict deposit refunded,..	4 59	
Gilman Berry, do do,.....	5 05	
Daniel Goodwin, 1½ days team work,..	3 75	
	<hr/>	208 46

Carried forward, \$

Brought forward,	\$
<i>Discharged convicts.</i>	
Cash paid discharged convicts,.....	87 39
Total expenditures,.....	<u>\$7,782 60</u>
Balance to new account,	2,941 29
	<u><u>\$10,223 89</u></u>

STATE OF NEW YORK, }
Cayuga County, } ss.

Benjamin Ashby, agent, and William Andrews, clerk, of the Auburn Prison, being duly sworn, depose and say, that the foregoing account is correct and true according to the best of their knowledge and belief.

BENJAMIN ASHBY,
WM. ANDREWS.

Subscribed, and sworn before me, }
this 11th day of January, 1851. }

JAMES H. BOSTWICK, *Justice of the Peace.*

AUBURN PRISON, }
February 1st, 1851. }

To the Inspectors of State prisons:

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support, &c.. of said prison, during the month ending January 31st, 1851.

Balance brought from Dec. account,		\$2,441 29
Cash received this month from		
Shoe shop, E. P. Ross,.....	\$1,091 77	
Cooper " Van Tuyl and Freeoff, ..	535 61	
Machine " Beardsley, Keeler & Curtis,	1,069 71	
Tool " Casey, Ketchel & Co., ...	664 53	
Cabinet " Hewson, Parsons & Segoine,	637 32	
Rations,	48 02	
Convicts' deposits,.....	4 52	
Prison, rent, grease, old kettle, &c., ..	43 62	
Visitors, 691 persons,	172 75	
	<u></u>	4,267 85
		<u><u>\$6,709 14</u></u>

Cash expended for general support.

Rations.

Quick & Hall, 69 lbs. pepper, 1 bbl. salt, and cartage,	\$8 28
Chas. G. Briggs, agent, freight on 50 bbls. salt,	10 00
Hulbert B. Stiles, 10½ bushels barley, .	7 35
Z. Avery, 12½ bushels beans,	12 50
D. T. Pitney, 237¼ bush. corn,	142 68
Harrison T. Dickinson, 866 lbs. beef, ..	25 98.
F. W. Walton, 294 lbs. beef,	8 82
Isaac Sheldon, 1,230 lbs. mutton, 576 lbs. beef,	48 08

\$262 59

Hospital.

Quick & Hall, 1 chest of tea, 63 lbs.,..	\$18 90
H. G. Vananden, drugs and medicines,	6 32
A. McCrea, crackers,	18 50
David Mills, 93 quarts of milk,	3 72
R. Hathaway, 2 bush. apples,	63

48 07

Clothing and bedding.

E. P. Ross, leather,	\$137 53
P. T. Watson, horse hide, sides, hipper and kipp skins,	31 50
Geo. Topping, 2½ doz. apron skins,	12 50
J. V. Palmer, 1 coat,	3 00
Sylvester Schenk, 10 yds. canvass,	2 50
W. H. Harrington, 602¾ lbs. sole leather,	102 46
Russell Chappel, 16½ lbs. wool,	4 13
E. Bertrand & Bro., 2 doz. b'skin mittens,	9 00
Wm. Buckhout, scouring and fulling 855 yds. cloth,	25 65
N. B. S. Eldred, 5 coats, 2 pants, 1 vest,	18 50
Wm. Andrews, 2 " 2 " 3 "	10 00
David Mills, 1 pair pants, 1 hat,	1 75
Wm. Milk, 731½ lbs. wool, 4 sacks, ...	302 41

660 93

Carried forward, \$

Brought forward,

Building and repairs.

J. F. Ferrill, screws, sash, cord, &c....	\$3 42	
Van Tuyl & Freeoff, repairing barrel,..	50	
H. G. Van Anden, paint, oil and turpentine,.....	42 45	
Beardsley, Keeler & Curtis, door weights, stoves, &c.,.....	37 24	
Russel & Smith, 4 grates for shop stove, 9 iron doors, 1 cart wheel, and fitting same,.....	177 18	
Calvin Clements, work on water wheel, and taking care of State shaft and pumps, 8 months,	5 39	
Allen & Patchin, 90 bushels lime,	11 25	
Henry Lewis, frame and springs for bells of fire engine,.....	5 75	
	<hr/>	283 18

Fire wood, oil. &c.

Quick & Hall, 11 gallons spirit gas,...	\$9 63	
Auburn Gas Light Co., gas for the month of December,.....	154 85	
H. G. Van Anden, 238 gall's camphene, 20 gallons oil,.....	137 13	
Beardsley, Keeler & Curtis, 4½ gall's oil,	6 75	
	<hr/>	308 36

Stock, tools, &c.

E. P. Ross, awls, hammers, pincers, and rasps,.....	\$22 90	
Quick & Hall, 1 horse brush, 1 curry comb,.....	94	
H. G. Van Anden, 5 paint brushes,....	2 22	
J. Choate & Son, ⅙ doz. shears,.....	4 50	
	<hr/>	30 56

Furniture.

Russell & Smith, 1 chaldron kettle,...	\$25 06	
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Carried forward,.....

Brought forward,	\$	\$	
Van Tuyl & Freeoff, 13 meat tubs,....	117	00	
I. F. Terrill, 15 doz. knives and forks,			
2½ doz. spoons,.....	12	63	
			154 69

Printing and stationery.

Henry C. Scranton, 2 boxes steel pens,			1 80
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Discharged convicts.

Cash paid sundry discharged convicts,.			51 75
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Salaries of officers.

Pay roll, officers, keepers and teachers,			1,551 16
---	--	--	----------

Pay of guard.

Pay roll of 20 guard and extra,			689 04
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Miscellaneous.

Paris G. Clark, costs as att'y and counsel in Hills' suit,.....	253	46	
E. N. Warden, postage, quarter ending December 31st, 1850,.....	16	96	
E. P. Ross, shoe nails, tacks, thread, &c.	13	63	
Quick & Hall, 90 lls. old tobacco, 1 box N. R. tobacco, 8 spittoons, 30 gallons spirits,.....	44	63	
I. F. Terrill, 2½ plain packing stone, 1 padlock,.....	2	44	
A. V. M. Suydam, balance on collar, whip, &c.,.....	6	25	
H. G. Van Anden, lamp black and lamp wicks,		91	
Russell & Smith, 4 lbs. packing yarn,.	1	00	
Lansing Briggs, visit and consultation with Dr. Fosgate, at prison,.....	3	00	
John H. Hudson, 41 days cutting and packing pork,.....	61	50	
Carried forward,.....	\$	\$	

Brought forward,	\$	\$
J. Gould, cartage on salt from R. R.,..	2	50
James Quaekenbush, convict deposits refunded,	25	00
James H. Bostwick, 26 affidavits,	3	25
James H. Hamilton, 12 days work,	25	88
Lansing Briggs, 2 examinations in case of insanity,	6	00
Hiram S. Woodworth, 1 horse,	60	00
J. Augustus Hills, expenses in trans- porting convict to Lunatic Asylum, ..	8	00
Wm. Muir, 1 loom, harness and reed, ..	8	00
		<hr/> 542 51
Total expenditures,		<hr/> \$6,585 60
Balance to new account,		<hr/> 2,123 54
		<hr/> <hr/> \$6,709 14

STATE OF NEW-YORK }
Cayuga County, } ss.

Benjamin Ashby, agent, and William F. Segoine, clerk of the Auburn prison, being duly sworn, depose and say, that the foregoing account is correct and true, according to the best of their knowledge and belief.

BENJAMIN ASHBY, *Agent.*

WILLIAM F. SEGOINE, *Clerk.*

Subscribed and sworn before me, }
 this 22d day of April, 1851, }

HORACE T. COOK, *Justice of the Peace*
Cayuga county.

AUBURN PRISON, }
March 1st, 1851. }

To the Inspectors of State Prisons :

The agent respectfully reports that the following is a true statement of the moneys received and expended for the general support, &c., of said prison, during the month ending February, 28th, 1851.

Balance brought from January account,		\$2,123 54
Cash received this month from		
Carpet shops, Josiah Barber,	\$2,775 81	
Cabinet shop, Hewson Parson, and Se-		
goine,	558 02	
Machine shop, Beardsley, Keeler & Cur-		
tis,	508 60	
Hame shop, Hayden & Letchworth, . . .	478 09	
Visitors, 282 persons,	70 50	
Convict deposits,	7 60	
Prison hhds. sold,	50	
	<hr/>	4,399 12
		<hr/>
		\$6,522 66
		<hr/>

Cash expended this month

Rations.

Henry Underwood, 1,200 $\frac{3}{8}$ bush. wheat, \$1,125 55	
M. H. Kenedy, 14 $\frac{1}{2}$ bush. beans,	14 50
John Dean, 806 lbs. beef,	24 18
Wm Muir & Co., 38 $\frac{1}{4}$ bush. beans,	43 03
A. Godfrey, 2 $\frac{1}{2}$ bush. beans, ,	2 50
John M. Sherwood, 26 $\frac{1}{4}$ bush. beans,	26 25
	<hr/>
	1,236 01

Hospital.

David Mills, 93 quarts of milk,	3 72
A. V. Pulsifer, 47 $\frac{1}{2}$ chickens,	3 31
David Mills, 88 quarts milk,	3 52
	<hr/>
	10 55
	<hr/>
Carried forward,	\$1,246 56

Brought forward,..... \$

Clothing and Bedding.

J. O. Barber, 4 pair pants, 1 coat,.....	\$7 50	
Uriah Woodruff, 1 coat,.....	3 00	
Richard A. Keyes, 1 coat,.....	2 00	
C. & H. Carpenter, 20 old hats, 1 doz. caps,	13 50	
		<hr/>
		26 00

Building and Repairs.

Hayden & Letchworth, sundry repairs on tools, doors, &c.,		38 99
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Fire wood, Oil, &c.

Auburn Gas light co., gas for the month of January,		156 40
--	--	--------

Stock, Tools, &c.

Eggleston & Wheaton, 5 pumps,.....	58 50	
Isaac Sheldon, 38½ lbs. wool,....	7 70	
Wm. Milk, 286 lbs. wool,.....	117 26	
Samuel Taylor, 202 lbs. wool,.....	90 90	
		<hr/>
		274 36

Hay, Grain, &c.

Isaac Sheldon, 975 lbs. hay,.....		4 88
-----------------------------------	--	------

Discharged Convicts.

Cash paid sundry discharged convicts,.....		40 50
--	--	-------

Salaries of Officers.

Pay roll, officers, keepers and teachers,.....		1,562 56
--	--	----------

Pay of Guard.

Pay roll of 20 guard and extra,.....		681 00
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Miscellaneous.

Wm. Smith, arresting and returning Head, an escaped convict,	\$60 00	
James Van Valkenburgh, grinding flour for prison,	30 18	
		<hr/>
Carried forward,.....	\$90 18	\$

Brought forward,	\$90 18 \$	
James E. Tyler, expenses to Albany and New-York, by order of board of Inspectors,	45 50	
David Wells, 1 clock for hospital,	2 00	
John Vanderheyden, to filling ice house,	12 00	
Thomas Brown, for cartage on salt, ...	1 63	
Wm. B. Smith, 16 days services, assist- ing clerk, previous to January 1, 1851.	24 00	
Abraham Stein, convict, deposit refun- ded,	2 10	
Wells, Butterfield & Co. transportation on prayer books,	1 75	
Wells, Butterfield & Co. transportation on prayer books,	4 00	
Wells, Butterfield & Co. transportation on Inspectors' report,	8 00	
John Vanderheyden, expenses pursuing escaped convicts,	2 00	
C. & H. Carpenter, 2 buffalo robes, ...	13 00	
	<hr/>	206 16
Total expenditure,		\$1,237 41
Balance to new account,		2,285 25
		<hr/>
		<u>\$6,522 66</u>

STATE OF NEW-YORK, }
Cayuga County, ss: }

Benjamin Ashby, agent, and William F. Segoine, clerk, of the
the Auburn prison, being duly sworn, say, that the foregoing ac-
count is correct and true according to the best of their knowledge
and belief.

BENJAMIN ASHBY, Agent.

WILLIAM F. SEGOINE, Clerk.

Subscribed and sworn, this 22d day }
of April, 1851, before me }

HORACE T. COOK,

Justice of the peace, Cayuga County.

AUBURN PRISON, {
April 1st, 1851. }

To the Inspectors of State Prisons:

The agent respectfully reports that the following is a true statement of the moneys received and expended for the general support, &c., of said prison during the month ending March 31st. 1851:

Balance brought from February account,		\$2,285 25
Carpet shops, Josiah Barber,	\$5,449 97	
Tool shop, Casey, Ketchel & Co.,	1,334 80	
Hame do Hayden & Letchworth, ...	996 67	
Shoe do E. P. Ross,	917 81	
Cabinet do Hewson, Parsons & Segoine,	603 52	
Cooper do Van Tuyl & Freeoff,	624 39	
do do Chester, Fanning, bal. due,	39 98	
Machine do Beardsley, Keeler, & Curtis,	549 08	
Prison, swill and grease sold,	411 97	
Rations, beef and ham sold,	64 20	
Building and repairs, old lumber and stone sold,	9 98	
Convict deposits,	1 50	
Visitors, 208 persons,	52 00	
	<hr/>	11,055 87
		<hr/>
		\$13,341 12
		<hr/>

Cash expended for general support:

Rations.

Cornell & Co., 17 bush. malt, 302 lbs. hops, 31 bush. barley, yeast, &c.,	\$159 52	
John E. Patten, 918 lbs. beef,	27 54	
Jonathan Paddock, 45 bush. potatoes,	35 06	
Charles T. Ferris, 124 $\frac{1}{8}$ bush. wheat,	124 68	
Morgans, 93 bbls. pork,	744 00	
A. Berner, 11 do and 26 gal. vinegar,	35 43	
George Snyder, 22 $\frac{3}{4}$ bush. potatoes, ...	12 74	
Lewis McCarty, 82 $\frac{1}{2}$ bush. parsnips, ..	30 94	
E. & W. Osborn, 4,805 $\frac{1}{4}$ lbs, beef,	144 16	
A. H. & J. Burt, 90 lbs. pepper,	8 10	
	<hr/>	1,322 17
		<hr/>
Carried forward,		\$.

Brought forward,..... \$

Hospital.

A. C. Munger, sugar, butter, alum, rice, apples, &c., 71 34

Clothing and bedding.

Horace Richardson, 1 coat, 2 pr. pants,	\$6 00	
P. G. Cooke, 1 coat,	8 00	
Wm. Holan, 1 hat,	50	
Chas. P. Fitch, 3 pr. pants, 1 vest,....	6 00	
Peter Foster, 7 coats, 4 pr. pants, 5 vests,	30 50	
Jacob R. Horr, 1 coat, 2 pr. " 2 "	6 50	
George Clapp, 9 coats, 8 pr. pants, 3 vests, 2 hats,.....	43 50	
	<hr/>	\$96 00

Building and repairs.

Hewson, Parsons & Segoine, base boards, scantling, paint, cherry boards, turpentine, &c.,.....	29 02	
O. T. Ferris, nails, pipes, water lime, &c.,	61 91	
Putnam & Stewart, 28 lights of glass, sash painted, &c.,.....	25 20	
Loren Patchin, 210 bush. lime,.....	26 25	
Russel & Smith, 545 lbs. cast wheel, boring and fitting same,.....	23 58	
Ralph Somers, fixing gearing in spin shop, 1 day,.....	1 00	
Alexander Graham, 12,000 feet timber,	150 00	
Watrous & Osborn, glass, nails, iron, screws, butts, belting, pullies, stove pipe, &c.,.....	672 89	
A. H. & J. Burt, 11 kegs nails, 26 bunches shingles,.....	102 50	
Beardsley, Keeler & Curtis, bolts, smoke pipe, pulley, repairs on water wheel, &c.,	56 43	
	<hr/>	
Carried forward,.....	\$	\$

Brought forward,.....	\$	\$
Wm H. Van Tuyl, boards, plank, scantling, lath, 1 door, labor, &c.,.....	235 39	1,384 17

Fire wood, oil, &c.

Josiah Barker, 35 gallons lard oil,	\$26 25	
E. C. & T. Witherill, 100 cords wood,	300 00	
Henry McDonald, 65 $\frac{1}{2}$ do do	192 15	
Auburn Gas Light Co., gas for Feb., ..	150 87	
A. H. & J. Burt, 190 gallons oil,.....	150 40	819 67

Hay, grain, &c.

James Ashley, 1,050 lbs. hay,.....	\$5 25	
James Voorhies, 66 bundles straw,....	1 65	
Chester Fanning, 70 bushels oats, furnished in June, 1850,.....	35 00	
E. C. & T. Witherill, 513 bundles straw,	12 82	
Isaac Sheldon, 1,000 lbs. hay,.....	5 00	59 72

Stock, tools, materials, &c.

R. M. Van Sickle, 290 lbs. cotton yarn,	\$40 00	
Josiah Barber, 2,854 $\frac{1}{2}$ lbs. wool, 4 perch stone, 73 lbs. iron, potash, cord, &c.,	922 81	
Auburn Gas Light Co., burners, pipes, fixtures, and putting up same,.....	510 00	
Chas. T. Ferris, stove pipe, shears, key hole saw, &c.,.....	95 24	
Saul Taylor, 187 lbs. wool,.....	84 15	
J. W. Rathbun, 66 $\frac{1}{2}$ do	19 95	
Watrous & Osborn, axes, knives, razors, saws, hammers, shears, files, furnaces, wrenches, &c.,	234 65	
A. C. Munger, 9 whitewash brushes, ..	5 06	1,911 86

Furniture.

Chas. T. Ferris, 2 stoves, pipe, tea kettle, 1 dozen lamps, 6 large ash kettles, &c.,.....	\$74 38
--	---------

Carried forward, \$

Brought forward,	\$	\$	
Watrous & Osborn, 3 stoves, 1 large iron kettle, spoons, pans, &c.,	105 66		
	<hr/>		\$180 04
<i>Salaries of Officers.</i>			
Pay roll, officers, keepers and teachers,			\$1,632 58
<i>Pay of Guard.</i>			
Pay roll of 20 guard and extra,			690 00
<i>Discharged Convicts.</i>			
Cash paid sundry discharged convicts,			122 39
<i>Miscellaneous.</i>			
P. Benson, attending and assisting as counsel for deft. in Barber agt. State,	\$150 00		
Paris G. Clark, disbursements in suit Barber agt. State for witness fees, &c.,	77 50		
Josiah Barber, coloring 78 lbs. black yarn and flynet,	4 93		
Josiah Barber, overcharge on carpet contract from March 1st to Nov. 1st, 1850,	537 17		
Chas. T. Ferris, 5 lanterns, padlock and hone,	11 25		
L. Hinman & Son, 1 basket,	50		
Henry E. Essman, convict deposit refunded,	85		
Blanchard Fosgate, one examination in case of insanity,	3 00		
Geo. H. Derby & Co., 300 books com- mon prayer,	60 00		
Auburn & Syracuse Railroad Co., trans- portation on one bale warp,	1 06		
John Jarvis, convict deposit refunded,	1 17		
John M. Dates, work done on fire engine,	1 50		
John B. Lang, convict deposit refund- ed,	6 60		
	<hr/>		
Carried forward	\$	\$	

Brought forward,	\$	\$
Stephen S. Austin, 5 saddle horses and 2 horses and buggies to pursue es- caped convicts,	8 00	
Horace Cowell for pursuing and taking escaped convict,	10 00	
Thomas Redman, for pursuing and ta- king escaped convict,	10 00	
James E. Tyler, expenses in transport- ing convict to Utica Asylum,	18 50	
Auburn and Syracuse railroad trans- portation on 3 bales sacking,	3 99	
E. Osborn, 1 days' service cutting meat,	2 00	
Clark Wilks, for pursuing and taking escaped convict,	10 00	
Isaac Sheldon, 5 bbls. apples,	5 63	
T. M. Pomeroy, drawing 3 contracts, 3 leases and duplicates,	12 00	
Watrous & Osborn, 1 Fairbanks' scales, 2 wheel-barrows, 2 dinner bells, locks, padlocks, &c.,	45 52	
A. H. & J. Burt, 5 boxes tobacco, 13 lbs. tallow,	101 17	
Josiah Barber, overcharge for weavers on carpet contract in months of Nov. and Dec. 1850, and Jan., Feb. and March, 1851,	328 70	
Beardsley, Keeler & Curtis, 1 $\frac{3}{4}$ hemp packing, 2 steel keys, 2 meat hooks, &c.,	1 79	
		1,412 83
Total expenditures,		\$9,702 77
Balance to Chas. W. Pomeroy's account,		3,638 85
		<u>\$13,341 12</u>

STATE OF NEW-YORK, }
 Cayuga County, } ss.

Benjamin Ashby, agent, and William F. Segoine, clerk of the Auburn prison, being duly sworn, depose and say that the foregoing account is correct and true according to the best of their knowledge and belief.

BENJAMIN ASHBY, *Agent.*

WILLIAM F. SEGOINE, *Clerk.*

Subscribed and sworn before me, }
 this 22d day of April, 1851. }

HORACE T. COOK, *Justice of the Peace, Cayuga county.*

AUBURN PRISON, }
 May 1st, 1851. }

To the Inspectors of State Prisons :

The agent respectfully reports that the following is a true statement of the moneys received and expended for the general support of said prison during the month ending April 30th, 1851 :

Balance brought from March account,.....		\$3,638 35
Cash received this month from		
Carpet shops, Josiah Barber,.....	\$2,640 16	
Cooper shops, Van Tuyl & Freeoff,....	313 91	
Hame " Hayden & Letchworth,..	524 51	
Cabinet " Hewson, Parson and Segoine, ..	578 83	
Shoe shop, E. P. Ross,.....	498 01	
Machine shop, Beardsley, Keeler and Curtis,	537 04	
Tool shop, Casey, Ketchel & Co.,.....	706 99	
Convicts' deposits,	76 26	
Prison, horse sold,	30 00	
Visitors, 405 persons,	101 25	6,006 96
		<hr/>
		9,645 31
Balance carried forward to May account,		2,979 39
		<hr/>
		<u>\$12,624 70</u>

Cash expended this month for general support:

Rations.

Wm. Hills & Co., for storing, grinding and delivering grain from Aug. 1, 1850, to March 31, 1851,	\$193 04	
Gilbert Pinkney, 169 $\frac{2}{3}$ bushels corn,	101 66	
John Esatten, 1591 lbs. beef,	47 73	
Wm. Man & Co., 12 $\frac{3}{4}$ bushels beans, ..	11 86	
Smith Townsend, 30 " turnips,	7 50	
John O'Conner, 58 $\frac{1}{2}$ " "	14 62	
Henry Webb, 806 lbs. beef,	24 18	
Josiah Hopkins, 14 bushels beets, 1 do turnips, 1 $\frac{1}{2}$ do onions,	4 50	
Henry Webb, 570 lbs. beef,	17 10	
Cornelius H. Van Vechten, 200 bushels potatoes,	112 50	
Delos Bradley, 10 $\frac{1}{2}$ bushels turnips, ...	1 97	
A. J. Beardsley, 9 $\frac{1}{2}$ bushels beans,	4 75	
L. Townsend, 12 bushels turnips,	3 00	
Samuel Busley, 27 bushels potatoes, ..	13 50	
Chauncey Pease, 10 $\frac{1}{2}$ wheat,	8 94	
L. Townsend, 14 bushels turnips,	3 50	
		<hr/>
		\$570 35

Hospital.

David Mills, 108 $\frac{1}{2}$ quarts of milk.....	4 34
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Clothing and Bedding.

George Sherwood, 60 vests, 42 coats, 35 $\frac{7}{8}$ yards cloth,	133 94
Francis Schmidt, 1 hat,	50
John H. Chedell, 4 coats, 2 vests, 1 hat, 1 cap,	15 00
Hezekiah Mastin, 1 hat,	50
Wm. B. Smith, 1 coat, 1 pair pants, 5 vests,	12 00
John Husk, 1 coat,	3 00
Wm. L. Mott, 5 hats,	2 25

Carried forward,..... \$

Brought forward,.....	\$	\$	
Wm. F. Segoine. 3 coats, 3 pair pants, 4 vests, 3 hats,.....		19 00	
John Beardsley, 8 coats, 3 pairs pants,		28 50	
			314 69

Building and Repairs.

Wm. H. Van Tuyl, boards, plank, scant- ling, timber, lath, labor, &c.,.....	7,301 99	
How & Johnson, fixing smoke pipe in machine shop, and roofing,.....	494 84	
Thomas Strath, building sand,.....	75	
Patrick Mullen, work on wheel house,	1 50	
		7,799 08

Firewood, oil, &c.

Earl T. Frisbee, 201 cords wood,.....	.603 00	
Orange Chapin, 25 do.	75 00	
H. W. Lyon, 13¼ do. ....	.39 75	
E. C. & T. Witherill, 37 cords wood,..	111 00	
		828 75

Stock and materials.

Wm. H. Van Tuyl, kip skins and sole leather,.....	97 69	
Wm. Whitlock, force pump,.....	20 00	
		117 69

Furniture.

How and Johnson, tin cups and basins,.....	14 50
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Salaries of officers.

Pay roll, officers, keepers and teachers,.....	1,767 67
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Pay of Guards.

Pay roll, 20 guards and extra,	619 00
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Discharged convicts.

Cash paid sundry discharged convicts,	249 45
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Miscellaneous.

H. H. Cooley, judg. agt. State, fees on execution, postage and interest,....	309 39	
Carried forward,	\$309 39	

Brought forward,	\$309 39	\$
W. B. Smith, copying contracts for in- specter in charge,	4 00	
John S. Jones, convict deposit refunded,	1 16	
Choate & Brown, tips and scraps of horn,	50	
John Husk, extra guard duty,	2 25	
Wm. B. Smith, preparing contract book for agent,	6 00	
Levi Johnson, convict deposit refunded,	59	
John Williams, do do do	12	
Daniel Goodwin, manure and carting same,	5 37	
Joseph P. Swift, for horses to pursue es- caped convict,	2 00	
David Jones, convict deposit refunded,	40	
Philip Moran, do do do	40	
Horace T. Cook, affidavits to reports of agent and accounts current,	3 00	
Elijah Willson, map of State of N. York,	4 00	
	<hr/>	339 18
		<hr/>
		<u>\$12,624 70</u>

STATE OF NEW-YORK, }
 Cayuga county, } ss.

Charles W. Pomroy, agent, and Wm. B. Smith, clerk, of the Auburn prison, being duly sworn depose and say, that the foregoing account is correct and true, according to the best of their knowledge and belief.

C. W. POMROY, *Agent,*
 Wm. B. SMITH, *Clerk.*

Subscribed and sworn before me, }
 this 18th day of June, 1851. }

A. C. MUNGER, *Justice of Peace, Cayuga county.*

AUBURN PRISON, }
June 1st, 1851. }

To the Inspectors of State Prisons :

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support of said prison, during the month ending May 31st, 1851.

Cash received this month from

Carpet shops, Josiah Barber,	\$2,788 06	
Cooper " Van Tuyl & Freeoff, ...	355 94	
Hame " Hayden & Letchworth, .	535 94	
Cabinet " Hewson, Parsons & Se-		
goine,	604 01	
Shoe " E. P. Ross,	506 89	
Machine " Beardsley, Keeler & Cur-		
tis,	570 55	
Tool " Casey, Ketchel & Co.	749 57	
Convict's deposits,	19	
Visitors, 542 persons,	135 50	
		\$6,246 49
Balance carried to new account,		2,277 15
		<u>\$8,523 64</u>

Cash expended this month for general support :

Balance from April account,	\$2,979 39
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Rations.

Ferdinand Lawrence, 155 lbs. hops, ...	\$62 00	
E. B. Elderson, 319 lbs. beef,	9 57	
Samuel E. Decker, 440 lbs. beef,	13 20	
Smith & Farnham, 2,100 "	63 00	
John Wheaton, 58 $\frac{2}{3}$ bushels wheat, ..	58 97	
John E. Patten, 1,523 lbs. beef,	45 69	
Edward Wilcox, 900 "	27 00	
Wm. Moore, 97 $\frac{1}{2}$ bush. wheat, \$92.69		
152 $\frac{2}{3}$ do corn, 82.28		
	174 97	
Edward Nelson, 12 $\frac{1}{2}$ bush. turnips,	2 34	
John Dean, 996 lbs. beef,	29 88	
Carried forward,	\$	\$

Brought forward,	\$	\$
H. T. Dickinson, 9,310 lbs. beef,	279 57	
Enos Sheldon, 13½ bush. potatoes,	5 06	
J. M. Thornton, 120¾ bush. corn,	63 94	
Harvey Hunt, 135¾ do	73 18	
Lockwood Hunt, 18¾ bush. wheat, ...	17 58	
John Coapman, 51¾ do ..	44 96	
Henry Webb, 311 lbs. pork, \$19.38; 150 lbs. beef, \$8.06; 69 lbs. beef, \$2.08,	29 86	
Henry S. Dunning, 210¾ bush. wheat,	210 55	
John Frink, 36 bush. peas,	36 00	
Silas Austin, 11½ bush. beans,	12 94	
Silas A. Downer, 11½ bush. potatoes, ..	7 19	
“ 4½ do ..	27 81	
Orrin Brooks, 50 lbs. beef,	1 50	
Isaac Sheldon, 80 bush. potatoes,	50 00	
Silas A. Downer, 26 do	16 25	
John Smith, 4 bush. potatoes, 3 do beans,	5 50	
	<hr/>	1,368 51

Hospital.

L. Hinman & Son, butter, tea, rice, sugar, &c.,	\$12 24	
David Mills, 105¼ qts. milk,	4 21	
John P. Pulsifer, 1 qt. port wine, 1 chicken,	94	
	<hr/>	17 39

Clothing and bedding.

Charles Eldred, 3 coats, 3 pair pants, 1 vest, 2 hats,	\$15 50	
James E. Tyler, 2 hats,	1 00	
George T. Pomroy, 2 pair pants, 1 vest,	4 00	
Benj. Ashby, 5 coats, 8 pair pants, 8 vests, 5 hats,	37 50	
P. M. Ryan, 4 coats, 4 pair pants, 1 vest, 1 hat,	19 50	
John Husk, 1 coat, 2 pair pants, 6 vests,	11 00	
	<hr/>	
Carried forward,	\$	\$

Brought forward,.....	\$	\$	
Silas Eastman, 1 coat,.....		3 00	
A. Bassett, 1 coat, 2 pr. pants,.....		6 00	
L. H. How, 1 coat, 1 pr. pants, 1 vest,.....		5 50	
Benjamin Hermance, 1 hat,.....		50	
Henry W. Peck, 10 pieces ravens' duck		80 00	
Wm. Buckhout, fulling and scouring cloth,.....		38 22	
		<hr/>	221 72

Building and repairs.

Chauncey, Conkling & Co., caps and sills for new mess room, &c,.....		325 47	
Beardsley, Keeler & Curtis, steam pipe, casting and gearing,.....		314 60	
J. & G. Clapp, lumber,.....		8 27	
Deforest Sperry, 270 ft. maple timber,		2 36	
Carr & Cartwright, 74 ft. oak plank,..		1 48	
Sabin & Welty, lumber,.....		80 56	
		<hr/>	732 74

Firewood, oil, &c.

David Fries, 37 $\frac{7}{8}$ cords wood, in March,		119 63	
H. H. Cooley & Co. 34 $\frac{1}{4}$ " " "		102 75	
		<hr/>	222 38

Hay, grain, &c.

N. Williams, 12 bush. oats, 1 do. grass seed,.....		8 00	
Benj. Ashby, 1067 lbs. hay,.....		4 80	
W. Kelley, 185 bundles straw,.....		3 70	
Wessel Haines, 15 bush. oats,.....		5 63	
		<hr/>	22 13

Stock, tools, &c.

James Leonard, 108 $\frac{1}{4}$ lbs. sole leather,.		19 49	
Saul Taylor, 349 $\frac{1}{2}$ lbs. wool,.....		125 82	
		<hr/>	145 31

Carried forward,..... \$

Brought forward,..... \$

Printing and stationery.

Knapp & Peck, printing notices and reports,.....	\$53 50	
Derby & Miller, books, paper sand and envelopes,.....	41 19	
		94 69

Salaries of Officers.

Pay roll, officers, keepers and teachers,	1,684 37
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Pay of Guards.

Pay roll of 20 guards,	600 00
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Discharged Convicts.

Cash paid sundry discharged convicts,.....	117 72
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Miscellaneous.

Auburn and Syracuse R. R. freight on molasses, &c.,	\$72 41	
J. & G. Clapp, for repairs and exchange of wagons,	165 63	
Williams Stevens' blacksmith account,	13 45	
Ethan A. Warden, 1 quarter postage,	12 22	
John Ramsey, convict deposits refunded	23 00	
Saul Taylor, freight on wool from Rochester,.....	3 06	
Van Tuyl & Freeoff, pounding barrel and repairs,.....	4 50	
David McLay, convict deposit refunded,	26	
Chas. E. Van Anden, examination of 2 lunatics,	6 00	
Lansingh Briggs, examination of 2 lunatics,	6 00	
Wm. Sunderlin, (warden), transporting 2 insane convicts to the asylum,....	9 71	
Frederick Geign, convict deposit refunded,.....	55	
Horace T. Cook, taking 4 affidavits to reports, &c.,.....	50	
		317 29
		<u>\$8,523 64</u>

STATE OF NEW-YORK, }
 Cayuga County, } ss.

Charles W. Pomroy, agent, and Wm. B. Smith, clerk, of the Auburn prison, being duly sworn, depose and say, that the foregoing account is correct and true according to the best of their knowledge and belief.

C. W. POMROY, *Agent.*
 Wm. B. SMITH, *Clerk.*

Subscribed and sworn before me, }
 this 18th day of June, 1851. }

A. C. MUNGER, *Justice of Peace, Cayuga county.*

AUBURN PRISON, }
 July 1st, 1851. }

To the Inspectors of State Prisons:

The agent respectfully reports that the following is a true statement of the moneys received and expended for the general support of said prison during the month ending June 30th, 1851 :

Cash received this month from—

Carpet shops, Josiah Barber,	\$2,603 09	
Cooper “ Van Tuyl & Freeoff,	306 73	
Hame “ Hayden & Letchworth, . . .	493 22	
Cabinet “ Hewson, Parsons & Se-		
goine,	530 73	
Shoe shop, E. P. Ross,	478 25	
Machine shop, Beardsley, Keeler & Cur-		
tis,	537 62	
Tool shop, Casey, Ketchel & Co.,	651 91	
Convict's deposit,	5 42	
Fire wood, oil, &c., wood sold,	7 00	
Prison, swill lease, paint sold,	50 37	
Visitors, 656 persons,	164 00	
		\$5,828 34
Balance carried to July account,		3,501 06
		<u>\$9,329 40</u>

Cash expended this month for general support.

Balance from May account,	\$2,277 15
Carried forward,	<u>\$2,277 15</u>

Rations.

Brought forward,		\$2,277 15
Darius Adams, 76 bbls. pork,	\$1,007 00	
Silas A. Downer, 5 bush. beans,	6 25	
S. S. Coonley, 667 lbs. beef,	20 01	
H. Hitchcock, 64 $\frac{1}{2}$ bush. wheat,	62 06	
E. & W. Osborn, 3,775 lbs. beef,	113 25	
W. Wheaton, 133 $\frac{1}{2}$ bush. corn,	75 22	
A. Sperry, 90 $\frac{3}{4}$ bush. corn,	50 00	
Isaac Mosher, 29 $\frac{1}{2}$ bush. corn,	16 47	
Allen Curtis, 370 lbs. beef,	11 00	
Myron Sears, 89 $\frac{1}{2}$ bush. wheat,	89 72	
Smith & Farnum, 106 lbs. beef,	3 18	
Stephen Cornell, 98 $\frac{1}{2}$ bush. corn,	55 67	
Jonathan Monroe, 40 $\frac{1}{2}$ do.	22 89	
Cyrus Wilcox, 1,536 lbs. beef,	46 08	
Henry Fellows, 149 $\frac{3}{4}$ bush. corn,	83 88	
Amelius Wheeler, 172 $\frac{1}{2}$ do.	96 76	
Lewis McCartey, 93 $\frac{1}{2}$ do.	52 73	
Elijah Gould, 10 bush. wheat,	10 00	
	<hr/>	\$1,822 91

Hospital.

L. Hinman & Son, butter, tea, rice and sugar,	\$9 99	
D. Mills, 108 $\frac{1}{2}$ quarts milk,	4 34	
	<hr/>	14 33

Clothing and bedding.

Lathrop & Luddington, bill, ticking, ..	\$163 10	
F. L. Griswold & Co, canvass and vest,	9 70	
E. P. Ross, 270 pair shoes made,	92 81	
Bejamin Hermance, 1 hat,	50	
Geo. T. Pinkney, 1 coat, 4 pants, 5 vests,	12 75	
Joseph Cooper, coats, vests and pants,	138 50	
P. W. Ryan, 7 coats, 2 pants, 9 vests, 4 hats,	32 50	
Philip Hoffman, 2 coats, 1 pants, 2 vests,	9 50	
E. B. Cobb, 2 " 4 " 1 "	11 50	
	<hr/>	470 86

Carried forward,

\$

Brought forward, \$

Building and repairs.

H. G. Van Anden, 2 boxes glass,	\$5 50	
Douglass & Billings, mason work in Dec. 1850,	794 63	
Douglass & Billings, mason work in April, 1851,	59 50	
Beardsley, Keeler & Curtis, iron forges, repairs on looms, &c.	103 20	
David Clark, repairing walks and sew- ers outside,	6 75	
Carr & Cortright, 136 feet maple plank,	1 70	
	<hr/>	971 28

Fire wood, oil, &c.

Beardsley, Keeler & Curtis, 2½ gallons oil for engine,	3 75	
E. P. Ross, 3 gallons oil,	6 00	
Orange Chapin, 25½ cords wood,	76 50	
Aaron Hayden, 50½ "	151 50	
Auburn gas light co., gas for May and April,	223 13	
Royal Quick, 258 bush. coal,	20 64	
	<hr/>	481 52

Hay, grain, &c.

John H. Van Arsdale, 15 bush. oats,	6 00
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Stock, tools, &c

E. P. Ross, leather and bench tools for shoe shop,	287 74	
Gilbert Harlow, 35 lbs. wool,	8 75	
	<hr/>	296 49

Printing and stationery.

Michaël Cohan, 3 gross steel pens,	3 00
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Salaries of officers.

Pay roll, officers, keepers and teachers,	1,679 05
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Carried forward, \$

Brought forward, \$

Pay of guard.

Pay roll, 20 guards, 600 00

Discharged convicts.

Cash paid sundry discharged convicts, 236 40

Miscellaneous.

L. Hinman and son, 2 corn baskets,...	\$1 00
Lathrop & Luddington, interest on account,	2 85
Samuel Wilkes, storage on raft timber,	10 00
P. G. Clark, attorney and counsel fees, &c.,	366 30
S. J. McWasher, 17½ lbs. tobacco,	4 72
Nathaniel Williams, 10 days labor, self and team,	25 00
Amos Carr, convict deposit refunded,	7 00
S. S. Graves, 6 cherry trees,	2 25
John Steadman, convict deposit refunded,	5 25
Thomas Vanderheyden, convict deposit refunded,	2
Betsey Philips, 4 doz. brooms,	7 00
A. C. Munger, taking 6 affidavits of agents reports and account currents,	75
William M. Emburg, convict deposit refunded,	21 65
Lafayette Smith, convict deposit refunded,	50
John Nugent, convict deposit refunded,	09
Thompson Maxwell, team for pursuing escaped convicts,	3 50
David C. Patchin, capturing escaped convicts and expenses,	12 50
John Earll, convict deposit refunded, ..	03

470 41

\$9,329 40

STATE OF NEW-YORK, }
 Cayuga county, } ss.

Charles W. Pomroy, agent, and Wm. B. Smith, clerk, of the Auburn State prison, being duly sworn, depose and say, that the foregoing account is correct and true, according to the best of their knowledge and belief.

C. W. POMROY, *Agent*,
 Wm. B. SMITH, *Clerk*,

Subscribed and sworn before me, }
 this 14th day of July, 1851. }

HORACE T. COOK, *Justice of the Peace*,
 Cayuga county.

AUBURN PRISON, }
 August 1st, 1850. }

To the Inspectors of State Prisons:

The agent respectfully reports that the following is a true statement of the moneys received and expended for the general support of said prison during the month ending July 31st, 1851.

Cash received this month from		
Carpet shops, Josiah Barber,.....	\$2,588 48	
Cooper shop, Van Tuyl & Freeoff,.....	316 66	
Hame shop, Hayden & Letchworth,...	488 10	
Cabinet shop, Hewson, Parsons & Se-		
goine,.....	587 28	
Shoe shop, E. P. Ross,.....	474 14	
Machine shop, Beardsley, Keeler &		
Curtis,.....	541 36	
Tool shop, Casey, Ketchel & Co.,	654 07	
Convicts' deposits,.....	02	
Prison,.....	81	
Fire wood, oil, &c.,.....	4 50	
Visitors,.....	171 50	
	<hr/>	\$5,826 92
Balance carried to August account,.....		4,023 59
		<hr/>
		<u>\$9,850 51</u>

Cash expended this month for general support:

Balance from June account,..... \$3,501 06

Rations.

Standard & Stamp, grinding 200 bush.		
grain,	\$5 00	
David Eddy, 206 $\frac{1}{4}$ $\frac{3}{8}$ bush. corn,.....	116 00	
John Sittser, 86 $\frac{1}{8}$ $\frac{3}{8}$ bush. corn, 130 $\frac{9}{8}$ do		
wheat,.....	178 97	
Gordon Brown, 99 bush. corn,..... ..	55 69	
Wm. H. Payne, 77 $\frac{3}{8}$ $\frac{9}{8}$ bush. wheat,....	72 57	
Lebeus Smith, 89 $\frac{1}{8}$ $\frac{3}{8}$ bush. corn,.....	50 23	
John Oakley, 45 bush. wheat,.....	45 00	
Edward Wilcox, 775 lbs. beef,	23 25	
James A. Moore, 73 $\frac{1}{8}$ $\frac{9}{8}$ bush. corn, ...	41 21	
C. Fanning, 445 bush. potatoes,	278 42	
John Dean, 352 lbs. beef,	10 56	
S. S. Coonley, 1,268 lbs. beef 25 lbs.		
veal,	39 29	
Gilbert Harlom, 154 $\frac{4}{8}$ $\frac{5}{8}$ bush. corn, ...	86 65	
Myron Sears, 73 $\frac{3}{8}$ $\frac{4}{8}$ "	41 38	
A. T. Pulsifer, 919 lbs. beef,.....	27 57	
Allen & Naracon, 261 $\frac{4}{8}$ $\frac{3}{8}$ bush. wheat,.	250 84	
T. J. McMaster, 161 lbs. beef,	4 83	
H. Macomber, 50 $\frac{2}{8}$ $\frac{4}{8}$ bush. corn,	28 35	
John E. Patten, 3,159 lbs. beef,	94 77	
J. W. Sherwood, 399 $\frac{4}{8}$ $\frac{3}{8}$ bush. wheat,..	399 97	
	<hr/>	1,850 25

Hospital.

D. Mills, 105 quarts of milk, 4 30

Clothing and bedding.

William Buckhout, dressing 76 $\frac{1}{2}$ yds.	
of convict cloth,	3 06
William Buckhout, dressing 127 yards	
convict cloth,	3 81
Horatio Brill, dressing 455 yards con-	
vict cloth,.....	18 20
	<hr/>
Carried forward,.....	\$

Brought forward,	\$	\$
Horatio Brill, dressing 602 $\frac{3}{4}$ yards convict cloth,		
		18 08
James Myers, 1 coat, 5 pants, 1 vest,		12 00
Irving Avery, 4 " 7 " 7 "		21 00
Wm. Barr, 2 " 5 " 2 "		15 50
Thos. J. Winsor, 6 " 4 " 5 "		28 00
J. W. Ryan, 3 " 4 "		
1 hat,		13 50
John Halladay, 3 coats, 5 vests, 2 hats,		13 75
A. Bassett, 1 "		3 00
A. B. Wood, 6 " 1 pants, 3 vests,		22 25
Henry Pierce, 2 "		6 00
Nich. L. Colsen, 1 "		3 00
E. N. Ketchel, 1 "		3 00
Peter McKibben 4 " 2 pants, 3 vests,		17 25
Charles Conlon, 3 coats,		9 00
James Sunderlin, 4 coats, 1 pants, 2 vests, 2 hats,		16 00
Wm. Robinson, 1 hat,		50
		<hr/>
		232 40

Building and repairs.

Josiah Barber, 17,678 bricks for dye house,		79 55
Conger and Hughson, 135 days mason work,		236 25
Tibbets & Handy, 30 bushels lime (in February,)		5 40
Nathaniel Williams, 4 tons ground plaster,		10 00
		<hr/>
		331 20

Fire wood, oil, &c.

Beardsley, Keeler & Curtis, 2 $\frac{1}{2}$ gallons oil for engine,		3 75
Erastus Wheeler, 1 $\frac{1}{2}$ cords wood,		18 14
		<hr/>
Carried forward,	\$	\$

Brought forward,.....	\$	\$	
John J. Wilson, 29½ cords wood.....	87	75	
C. A. Baker, 24 do do	72	00	
Auburn Gas Light Company gas for the month of May and June,.....	209	95	
E. C. & T. Witherill, 151 cords wood,.	453	00	
			844 59

Hay, grain, &c.

C. A. Hutchins, 10 bushels oats,.....	4	40
---------------------------------------	---	----

Stock, tools, &c.

James Leonard, 24 sides leather, 1 doz. sheep skins, 3 horse hides,.....	92	25	
David Barney, 46 lbs. wool,.....	13	80	
J. Patty & Son, 586 lbs. sole leather, 6 sides upper, 36 sides upper, 1 kipp skin,	218	13	
D. B. Keyes, 1 pair tailor's shears,.....	2	06	
			325 18

Printing and stationery.

H. K. Lindsley, 10 blank books, and binding re- ports,	18	38
---	----	----

Furniture.

Van Tuyl & Freeoff, 4 meat tubs, 25 hoop poles, 2 pails,.....	12	06
--	----	----

Salaries of officers.

Pay roll, officers, keepers and teachers,.....	1,691	26
--	-------	----

Pay roll of guard.

Pay roll, 20 guards and extra,.....	667	50
-------------------------------------	-----	----

Discharged convicts.

Cash paid sundry discharged convicts,.....	137	16
--	-----	----

Carried forward,..... \$

Brought forward,..... \$

Miscellaneous.

Z. M. Mason, chandeliers; pendants, brackets, &c.,.....	\$37 00	
Beardsley, Keeler & Curtis; cutting off pipe, 4 bolts,	75	
E. A. Wordan, postage on letters and pamphlets,	8 96	
S. S. Austin, horses to pursue escapes,	45 50	
John F. Echalez, a map of Auburn,...	3 00	
Louis Baron, convict deposit refunded,	5 00	
C. L. Wheaton, expenses pursuing es- capes,	9 25	
Nathaniel Williams, 16½ days labor, self and team,	41 25	
Wm. F. Segoine, 8 days service copying records for agent,	16 00	
Martin T. Eddy, cartage,	2 13	
C. L. Wheaton, services and expenses pursuing escapes,	25 57	
James Hardy, convict deposit refund- ed,	2 25	
Carpenter & Bemis, horses to pursue es- capes,	8 00	
Horace T Cook, 8 affidavits to agent's reports and accounts current,	1 00	
F. Ashley, expenses pursuing escapes,	10 72	
Applegate & Seymour, 2 shafts in wa- gon,	2 00	
Peter Kentz, watching bridge to secure escapes,	8 00	
Benjamin F. Cowan, convict deposit refunded,	17	
Jacob Dondore, convict deposit re- funded,	3 32	
		229 87
		<u>\$9,850 51</u>

STATE OF NEW-YORK, }
 Cayuga County, } ss.

Charles W. Pomroy, agent, and Wm. B. Smith, clerk of the Auburn State prison, being duly sworn, depose and say that the foregoing account is correct and true according to the best of their knowledge and belief.

C. W. POMROY, Agent.

WM. B. SMITH, Clerk.

Subscribed and sworn before me, }
 this 11th day of August, 1851. }

HORACE T. COOK, Justice of the Peace, Cayuga Co.

AUBURN PRISON, }
 Sept. 1st, 1851. }

To the Inspectors of State Prisons :

The agent respectfully reports that the following is a true statement of the moneys received and expended for the general support of said prison during the month ending August 31, 1851:

Cash received this month from		
Carpet shops, Josiah Barber,	\$2,581	78
Cooper shops, Van Tuyl & Freeoff,	320	70
Hame shops, Hayden & Letchworth,	481	96
Cabinet shops, Hewson, Parson and Segoine,	624	00
Machine shop, Beardsley, Keeler and Curtis,	503	09
Shoe shops, E. P. Ross,	461	76
Tool shops, Casey, Ketchel & Co.,	630	10
Convicts' deposits,		06
Prison, horse, grease, swill and potatoes sold,	169	95
Fire-wood, oil, &c., wood sold,	10	50
Visitors, 776 persons,	194	00
		<hr/>
		5,077 98
Balance to September account,		2,172 40
		<hr/>
		<u>\$8,150 38</u>

Cash expended this month for general support :

Rations.

E. & W. Osborne, 3,662 lbs. beef,.....	\$109 86	
S. S. Coonley, 1,048 lbs. beef,.....	31 44	
Allen baker, 52 $\frac{3}{4}$ bushels corn,.....	29 57	
A. M. McCrea, 190 cards gingerbread, 80 do rusk, 4,500 cakes, (4th July)	36 50	
John Dean, 1,083 lbs. beef,.....	32 49	
Wm. Muir & Co., 2 bushels beans,....	2 50	
Edward Wilcox, 721 lbs. beef,.....	21 63	
John Heany, 31 bushels potatoes,.....	17 44	
H. T. Dickinson, 5,950 lbs. beef,.....	281 43	
John W. Smith, 143 $\frac{1}{2}$ bushels wheat,..	143 50	
Richard Courtier, 13 " potatoes,	5 69	
Wm. C. De Witt, 11 $\frac{1}{2}$ " do.	3 59	
" " 17 $\frac{3}{4}$ " do.	5 55	
James O'Neil, 7 " do.	1 75	
	<hr/>	620 01

Hospital.

A McCrea, 576 lbs. crackers,.....	35 13	
E. W. McCabe, 75 gallons pure spirits,	30 00	
D. Mills, 138 $\frac{1}{2}$ quarts milk,.....	5 54	
	<hr/>	70 67

Clothing and Bedding.

Pratt & Fay, shirting, toweling and alpacca,.....	228 20	
W. C. Beardsley, 2 coats, 7 pants, 3 vests, 2 hats,.....	15 00	
J. E. Tyler, 1 coat,.....	3 00	
Robert Jenkins, 4 vests,.....	4 00	
C. & H. Carpenter, 36 hats,.....	18 00	
Horace B. Smith, 2 coats, 2 pants, 2 vests, 1 hat,.....	11 25	
F. G. Day, 4 coats, 3 vests, 2 hats,....	15 25	
	<hr/>	294 70
Carried forward,.....	\$	

Brought forward, \$

Building and Repairs.

C. T. Ferris, bolts, butts, screws, roofing, tin, zinc, locks, nails, &c.,	\$61 84	
Beardsley, Keeler & Curtis, water pipe, repairing shafts, &c.,	121 41	
E. Allen, jr., 1,531 feet timber;	15 31	
Wm. Allen, 571 bushels lime,	71 87	
Brown & Leighton, 27 $\frac{1}{2}$ feet cut stone, ..	9 63	
Carr & Cartright, 444 feet oak timber, .	8 88	
George A. Rumrill, 181 feet lightning rod, copper, &c.,	21 23	
Wm. H. Van Tuyl, error in April bill, voucher No. 6,	2 50	
	<hr/>	312 17

Fire wood, oil, &c.

Beardsley, Keeler & Curtis, 2 $\frac{1}{2}$ gallons lamp oil,	\$3 76	
Pratt & Fay, 18 $\frac{1}{2}$ cords wood,	56 25	
J. H. Chedell & Co., 221 gallons camphine,	\$110 50	
" " 1 gal. gas, 3 casks, ..	6 75	
	<hr/>	
	\$117 25	
Less 22 $\frac{1}{2}$ gals. camphine,	26 93	
	<hr/>	90 32
		<hr/>
		150 32

Stock, tools, &c.

Chas. T. Ferris, files, hammers, augers, saws, picks, shovels, &c.,	\$29 36	
Wm. Muir & Co., 556 lbs. wool,	200 34	
Orson Everts, 44 lbs. do	16 50	
	<hr/>	246 20

Furniture.

Chas. T. Ferris, spoons, knives, forks, stove and pipe,	23 99	
	<hr/>	

Carried forward, \$

Brought forward,	\$	
<i>Salaries of officers.</i>		
Pay roll, officers, keepers, and teachers,	1,680	57
<i>Pay roll of guard.</i>		
Pay roll, 20 guards and extra,	606	50
<i>Discharged convicts.</i>		
Cash paid sundry discharged convicts,	68	55
<i>Miscellaneous.</i>		
Charles T. Ferris, sash cord, wire, desk lock, sand paper, &c.,	\$4	27
J. H. Chedell & Co., spectacles, lamps, globes and cartage,	6	56
Pratt & Fay, 7½ lbs. tobacco,	1	88
Ethan A. Warden, 100 postage stamps,	3	00
C. D. Loomis, 22½ bushels ashes,	1	80
A. V. Pulsifer, crackers cheese and beef, (for officers watching escapes,)	4	25
Wm. Polson, expenses to Syracuse, after escapes,	2	70
Silas Rudd, convict deposits refunded,	2	00
Horace T. Cook, 10 affidavits to agent's report and account current,	1	25
Wm. Sunderlin, (warden,) expenses to Rochester, self and assistant, after an escaped convict,	25	40
		<hr/> 53 11
		<hr/> \$8,150.38

STATE OF NEW-YORK, }
 Cayuga County, } ss.

Charles W. Pomroy, agent, and William B. Smith, clerk of the Auburn State Prison, being duly sworn, depose and say that the foregoing account is correct and true, according to the best of their knowledge and belief.

G. W. POMROY, *Agent.*
 WILLIAM B. SMITH, *Clerk.*

Subscribed and sworn to before me, }
 this 13th day of November, 1851, }

HORACE T. COOK,

Justice of the Peace, Cayuga County.

AUBURN PRISON, }
October 1st, 1851. }

To the Inspectors of State Prisons :

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support of said prison during the month ending Sept. 30, 1850 :

Cash received this month from .

Hame shop, Hayden & Letchworth,...	\$479 91	
Cooper shop, Van Tuyl & Freeoff,.....	324 00	
Cabinet shop, Hewson, Parsons & Se- goine,	638 79	
Machine shop, Beardsley, Keeler & Curtis,.....	525 94	
Shoe shop, E. P. Ross,.....	454 94	
Tool shop, Casey, Ketchel & Co.	615 44	
Convicts' deposits,.....	2 75	
Prison, soap grease sold,.....	610 03	
Firewood, oil &c., wood sold,.....	6 00	
Visitors, 1102 persons,	275 50	
		3,938 80
Balance to October account,.....		9,781 94
		<u>\$13,715 24</u>

Cash expended this month for general support :

Balance from August account,.....	\$2,172 40
-----------------------------------	------------

Rations.

A. H. & J. Burt, 361 gal's molasses,	112 81	
“ “ 87 “ “	25 23	
		<u>138 04</u>
Wm. Hills & Co. 24,801 lbs. flour,....	409 22	
“ “ 119 ³ / ₈ bush. wheat,..	117 18	
Elijah Wheeler, 21 ⁷ / ₈ “ “ ..	21 11	
Wm. Hills & Co. wheat, corn, and grinding grain,.....	313 93	
Semi Babbett, 25 bush. potatoes,.....	7 81	
Richard Raynor, 168 lbs. beef,.....	4 20	
David Grant, 82 bush. potatoes,.....	8 00	
		<u> </u>

Brought forward,.....	\$	
Cyrus Wilcox, 925 lbs. beef,	27	75
George Standart, 65 bush. potatoes,....	24	38
John Dean, 1,228 lbs. beef,.....	36	84
E. & H. Osborn, 1,905 lbs. beef,.....	57	15
S. S. Coonly, 984 lbs. beef,.....	29	52
Wm. Smead, 50 $\frac{3}{4}$ bush. corn,.....	28	47
H. G. Fowler, 42 bush. wheat,.....	42	00
James O'Neil, 76 bush. potatoes,.....	19	00
W. G. Simpson, 14 bush. do	4	38
S. H. Smith, 24 $\frac{3}{4}$ bush. do	9	28
James Warm, 1 $\frac{1}{2}$ bush. beans,.....	1	50
Wm. Smith, 13 $\frac{1}{2}$ bush. potatoes,	3	38
John E. Patten, 3,951 lbs. beef,	118	53
Wm. C. DeWitt, 24 bush. potatoes, ...	6	00
Samuel Davids, 20 $\frac{1}{2}$ bush. beans,	20	50
Francis Pollard, 4 bush. potatoes,.....	1	25
Darius Adams, 213 bbls. mess pork,		
“ “ 207 bbls. prime pork,	5,151	00
E. Patee, 600 lbs. beef,	15	00
Franklin Worse, 28 bush. potatoes, ...	8	75
James Warm, 8 bush. beans,.....	8	00

6,632 17

Hospital.

L. Hinnman & Son, butter, cheese, tea, onions, &c.,	13	89
D. Wills, 138 $\frac{1}{2}$ quarts of milk,.....	5	54
Alonzo Durfee, 6 dozen Taylor Indian ointment,	16	00

35 43

Clothing and Bedding.

George M. Cray, cutting 705 pairs boots, shoes and slips,	44	06
John Clark, 1 coat,.....	3	00
John Husk, 4 coats, 5 vests, 2 hats,....	18	00
David Mills, 3 do 2 do 3 pants....	15	50
J. L. Jenkins, 4 coats, 2 vests, 3 pants.	19	00

Carried forward, \$

\$

Brought forward,.....	\$	\$	
Horatio Brill, fulling 348½ yards cloth, at 4 cts.,			
do fulling 377½ do at 3 cts.	25	26	
Chester Gridley, 4 coats, 2 pants, 1 vest,	16	00	
William Johnson, 4 coats, 2 pants, 2 vests,.....	14	00	
George Wellner, 2 hats,.....	1	00	
Anson B. Carpenter, 1 hat,.....	50		
Baron S. Hubbard, 1 hat,.....	50		
			156 82

Building and repairs.

Beardsley, Keeler & Curtis, forging, pullies, hanger &c.,	\$39	00	
Tuttle, Bowen & Co., timber, lumber, posts, &c.,.....	51	27	
Hewson, Parsons & Segoine, maple tim- ber and lumber,.....	5	03	
Josiah Barber, brick, lime, stone, &c.,.	181	07	
A. L. Fiero, 43 perch stone, repairing wall,	26	88	
Daniel Goodwin, 25 loads stone,.....	17	19	
Wm. H. & F. Kelsey, 130,750 bricks,.	555	69	
Daniel W. Thorp, 14 bbls. water lime,.	17	50	
Chester Fanning, 307 ft. timber,.....	3	83	
Arnold Hughson, 111 days mason work,	194	25	
Thomas Strath, 6 loads building sand,.	2	25	
			1,094 05

Fire wood, oil, &c.

A. H. & J. Burt, 86 gall. lard oil,.....	\$68	80	
do 5 gall. W. S. oil, ...	8	28	
Beardsley, Keeler & Curtis, 2½ gallons sperm oil,.....	3	75	
Harvey Gumaer, 17½ cords wood,...	53	44	
Auburn Gas Light Company, gas for month of August,	108	80	
			243 07
Carried forward,.....	\$		

Brought forward,..... \$

Hay, grain, &c.

Wessel Harris, $\frac{1}{2}$ tons hay, pasturing,	\$6 37
C. A. Hutchins, 10 bush. oats,	4 40
W. Vanderheyden, 1 day threshing	
oats, self and team,	2 50
S. Wheaton, jr., 7 days threshing oats,	10 50
J. B. Eldredge, threshing 200 bush. oats,	6 00
	<hr/>

29 77

Stock, tools, &c.

E. P. Ross, leather, tools, &c.,	\$370 65
Bradley & Lester, thread, buttons, ra-	
zors, &c.,	143 88
Rathbun & Clary, drilling, yarn, cloth,	
&c.,	24 13
Saul Taylor, 236 lbs. wool,	98 10
Wm. Muir, & Co., 43 lbs. cotton yarn,	8 96
O. C. Phelps, 1 sewing machine,	125 00
	<hr/>

770 72

Furniture.

Hewson, Parsons & Segoine, office and	
shop chairs, &c.,	30 13
Van Tuyl & Freeoff, 1 pine tub,	11 00
	<hr/>

41 13

Printing and stationery.

Chas. F. Squires, printing bills,	2 50
---	------

Salaries of officers.

Pay roll, officers, keepers and teachers, ..	1,689 73
--	----------

Pay of guard.

Pay roll of 20 guards and extra,	606 00
--	--------

Discharged convicts.

Cash paid sundry discharged convicts,	159 24
	<hr/>

Carried forward,

Brought forward, \$

Miscellaneous.

Beardsley, Keeler & Curtis, 64½ bushels ashes, and carrying water,.....	\$5 91	
L. Hinman & son, half doz. cords,	1 88	
Hewson, Parsons & Segoine, quills, rolls, painting, &c.,.....	12 04	
Ethan A. Worden, postage stamps and postage in July,.....	7 47	
James Birce, convict deposit refunded,	1 00	
Charles Sampson, re-cutting 27½ dozen files,	21 00	
Wm. Muir & Co., 2 lbs. clover seed, ..	25	
J. Stevens, blacksmith bill,	3 13	
John Backenstrass, carting 37 loads, ..	4 63	
Wm. Miller, convict deposit refunded,	66	
S. S. Austin, use of horse and wagon, .	6 00	
Horace T. Cook, .8 affidavits. to reports and account current,.....	1 00	
Horace J. Baker, convict deposit re- funded,	2 84	
John Hornby, " " "	1 15	
Daniel Crippen, " " "	12 25	
Budd Thompson, " " "	1 00	
		82 21
		<u>\$13,715 24</u>

STATE OF NEW-YORK, }
Cayuga County, } ss.
Charles W. Pomroy, agent, and William B. Smith, clerk of
the Auburn State prison, being duly sworn, depose and say that
the foregoing account is correct and true according to the best of
their knowledge and belief.
C. W. POMROY, Agent.
WM. B. SMITH, Clerk.
Subscribed and sworn before me, }
this 13th day November, 1851. }
HORACE T. COOK, Justice of the Peace, Cayuga Co.

CLERK'S REPORT.

CLERK'S OFFICE, AUBURN PRISON, }
December 1st, 1851. }

To the Inspectors of State Prisons:

Gentlemen—In compliance with the statute I furnish you with following statistics of said prison:

Number of convicts remaining in prison Dec. 1st, 1850,	732
“ received from courts during the year ending November 30th, 1851,	298
	<u>1,030</u>

Discharged during the same period, as follows:

By expiration of sentence,	182
By pardon,	55
Died from sickness,	12
Escaped and not retaken,	3
Sent to Asylum, Utica,	6
Discharged by habeas corpus,	1
	<u>259</u>
Total discharged and died,	<u>259</u>
Total remaining in prison December 1st, 1851, .	<u>771</u>

The number of convicts in this prison December 1st, 1851, is 771, of whom 151 are in the State's employ and hospital, and 620 are employed on contract as follows:

Carpet,...	Josiah Barber,	294	380.	294
Cooper,...	Van Tuyl & Freeoff,	35	61 ¹ / ₈	35
Cabinet,..	Hewson, Parsons & Segoine,	57	65	57
Hame, . . .	Hayden & Letchworth, . . .	67	55 ¹ / ₂	67
Machine,.	Beardsley, Keeler & Curtis,	53	46	53
Shoe,	E. P. Ross,	56	50 & 65 ¹ / ₂	56
Tool,	Casey, Ketchell & Co.,	58	51	58
		—	—	<u>620</u>

Number of men employed by the State and in hospital:

Yard,	41
On tailors' board,	15
Satinet weavers and winders,	5
Sock weavers and clothes man,	4
State barbers,	3
Hospital helpers,	3
“ sick and lame,	12
Shoe makers,	17
Dining hall and kitchen,	23
Soap house,	1
Wash room,	3
Wing, sweeping, &c.,	11
Hall waiter,	1
Wardens' kitchen,	2
Infirm and idle,	9
Stable,	1
	<u>151</u>

RECAPITULATION.

Working upon contract,	620
Employed by the State, &c.,	151
	<u>771</u>

WARDEN'S REPORT.

AUBURN PRISON, }
Dec. 3rd, 1851. }

To the Inspectors of State Prisons :

Gentlemen—In compliance with law and custom, I herewith submit a brief synopsis of the discipline and management of this prison since my appointment to the office of warden.

State Prison discipline is a subject in which the people of the State feel a perfect freedom to discuss. It is by such means that we arrive at the most perfect and systematic method of government in all the various institutions that exist in our State. It is of the highest importance that we should adopt that kind of discipline which has for its object not only the best method of governing convicts while in prison, but which will tell on the conduct of those unfortunate men, when restored to society and the world.

I am of opinion that our present mode of discipline is sufficient to command obedience when properly and promptly administered. It is also of the highest importance that the officers having charge of the different departments, should be men of judgment and discretion, men who do not allow themselves to be moved by impulse, but guided by the dictates of serious and sound judgment. I am happy to see that the days of brute force in the government of convicts are fast passing away. It is a relict of past and dark ages. I find, from observation, that by far the greater proportion of the men under my care are not entirely incorrigible, but are men who possess more or less the feelings of humanity, and when appealed to in a proper manner and by discreet persons, it usually produces the desired effect. There are exceptions to this rule. We occasionally meet with a convict so

far lost to all feelings of humanity that the most rigid course alone will command obedience. I would say in closing this part of my report, that it is a matter of great satisfaction that I have full confidence in the competency of the present officers in the discharge of the important duties devolving upon them.

There is one aspect of State prison affairs that is truly gratifying. I allude to the general good health of the convicts. One cause of this pleasant condition of the men is the efficient services rendered by the physician, in his prompt and faithful attention to the wants of the men when sick, and another is the quality and quantity of food provided for their common wants.

There is a matter to which I wish to call your serious attention, which is the intellectual training of the convicts. I suppose that the object of laws and penalties is the reformation of men and better qualify them for the duties and responsibilities of good citizens.

You are aware, gentlemen, that by far the greater number of convicts in the several prisons are men whose early education, as far as morals and letters are concerned, have been grossly neglected; very many of them do not understand the first rudiments of that kind of knowledge which has a tendency to give a proper direction to the thoughts and actions of life. To accomplish this object, I would recommend the addition of two extra teachers in this department, and your sanction and concurrence in lighting the entire wings until 8 o'clock in the evening.

In relation to the moral training of the convicts, great praise is due the chaplain and teachers who are engaged in this department of the institution. Very many leave this place expressing themselves in the strongest terms of approbation for the intellectual and moral improvement they have made since their confinement in this prison.

In connexion with this part of my report I would mention the great improvement already made in lighting the shops, and also of the new building now being erected for chapel, hospital and dining hall, which, when completed, will add very much to the convenience of order and discipline.

In conclusion allow me to express to you my warmest thanks for the advice and assistance you have rendered me in the discharge of my duties.

Very respectfully,
Your obedient servant,
WILLIAM SUNDERLIN,
Warden.

Convicts received at Auburn prison during the year ending December 1st, 1851, showing the crimes of which they were convicted.

TABLE 1ST.

Grand larceny,	95
Accessory to grand larceny,	3
Petit larceny, 2d offence,	28
do 3d do	4
Manslaughter, 2d degree,	2
do 3d do	3
do 4th do	2
Burglary, 1st degree,	8
do 2d do	12
do 3d do	44
do ,	7
Seduction,	2
Rape,	4
Forgery, 1st degree,	3
do 2d do	7
do 3d do	7
Assault and battery with intent to kill,	12
do do do rob,	2
do do do ravish,	5
Perjury, 1st degree,	8
do 3d do	1
Passing counterfeit coin,	3
do money,	4
Arson, 1st degree,	2
do 2d do	2
do 3d do	2

Robbing post office,.....	6
Murder, (commuted,).....	2
Obtaining goods under false pretences,.....	3
Assault and battery with slung shot,.....	1
Robbery, 1st degree,.....	4
Bigamy,	6
Crime against nature,.....	1
Making counterfeit coin,	1
Highway robbery,.....	2
	<hr/>
	298
	<hr/>

Term of Sentence.

TABLE 2ND.

1 year,.....	5	5 years 1 month,.....	3
2 years,.....	84	5 do 3 do	3
2 do 1 month,.....	2	6 do	2
2 do 2 do	3	6 do 2 do	1
2 do 3 do	5	6 do 3 do	1
2 do 4 do	9	6 do 4 do	1
2 do 5 do	1	6 do 6 do	4
2 do 6 do	16	7 do	4
2 do 7 do	2	7 do 1 do	1
2 do 8 do	1	7 do 4 do	1
2 do	29	8 do	2
3 do 1 do	2	9 do 6 do	1
3 do 2 do	1	9 do 9 do	1
3 do 3 do	2	10 do	14
3 do 4 do	5	10 do 2 do	1
3 do 6 do	14	10 do 3 do	1
4 do	16	10 do 5 do 17 days,	1
4 do 1 do	1	10 do 6 do	4
4 do 2 do	1	15 do	1
4 do 3 do	4	15 do 4 do	1
4 do 4 do	1	21 do	2
4 do 6 do	12	Life,.....	2
4 do 7 do	2		<hr/>
4 do 9 do	1		298
5 do	26		<hr/>

Commitments and re-commitments.

TABLE 3RD.

Under sentence of 1st conviction,.....	268
" " 2nd do 	25
" " 3d do 	11
	<hr/>
	298
	<hr/>

Ages.

TABLE 4TH.

16 years,.....	10	41 years,.....	5
17 do	5	42 do	2
18 do	20	43 do	3
19 do	17	44 do	2
20 do	15	45 do	2
21 do	17	46 do	2
22 do	21	47 do	2
23 do	14	48 do	4
24 do	11	49 do	2
25 do	12	50 do	5
26 do	11	51 do	2
27 do	10	52 do	1
28 do	10	53 do	1
29 do	2	55 do	1
30 do	11	56 do	1
31 do	4	57 do	2
32 do	3	58 do	1
33 do	6	59 do	1
34 do	11	60 do	1
35 do	9	61 do	1
36 do	4	63 do	1
37 do	11	66 do	1
38 do	3	69 do	1
39 do	2	78 do	1
40 do	10		
			<hr/>
			298
			<hr/>

Color.

TABLE 5TH.

White,	269
Colored,	29
.....	<u>298</u>
.....	<u>298</u>

Habits.

TABLE 6TH.

Temperate,	182
Intemperate,	100
Occasional drinkers,	12
Moderate drinkers,	6
.....	<u>298</u>
.....	<u>298</u>

Nativity.

TABLE 7TH.

Natives of the United States.

Connecticut,	5	Rhode Island,	1
New-York,	141	Vermont,	10
New Jersey,	3	Ohio,	2
Massachusetts,	8	Missouri,	1
Kentucky,	2	Pennsylvania,	5
New Hampshire,	5	Louisiana,	1
Michigan,	1	Delaware,	3
Maryland,	1	North Carolina,	1
Virginia,	7	District Columbia,	1
			<u>198</u>
			<u>198</u>

Foreigners.

England,	14	France,	6
Ireland,	44	Germany,	5
Canada,	25	Scotland,	2
Portugal,	1	New Brunswick,	1
Switzerland,	1	Poland,	1
			<u>100</u>
			<u>100</u>

Convicts, where committed.

TABLE 8TH.

Albany,.....	28	Madison,.....	5
Allegany,.....	2	Niagara,.....	8
Broome,.....	1	Oneida,.....	12
Cayuga,.....	8	Onondaga,.....	8
Cattaraugus,.....	2	Ontario,.....	7
Chautauque,.....	9	Oswego,.....	6
Chenango,.....	4	Otsego,.....	2
Chemung,.....	3	Orleans,.....	7
Cortland,.....	1	Rensselaer,.....	20
Delaware,.....	3	Schoharie,.....	3
Erie,.....	67	Steuben,.....	4
Genesee,.....	9	Tioga,.....	6
Herkimer,.....	4	Tompkins,.....	3
Jefferson,.....	12	Wyoming,.....	4
Livingston,.....	10	Yates,.....	1
Monroe,.....	29	U. S. Courts,.....	10
			<hr/>
			298
			<hr/>

Education.

TABLE 9TH.

Read and write,.....	197
Read only,.....	37
Neither read nor write,.....	63
Collegiate,	1
	<hr/>
	298
	<hr/>

Number of punishments during the year ending the 30th day of November, 1851.

TABLE 10TH.

	Shower Bath.	Yoke.	Solitary confinement.	Head shaved.	Total
December,.....	3	8	4		15
January,....	4	15	15	1	35
February,.....	8	3	4		15
March,	5	10	5		20
April,	18	16	7		41
May,	9	7	4		20
June,.....	17	8	8		33
July,	25	15	12		52
August,.....	15	4	5		24
September,.....	8	13	10		31
October,.....	4	9	11		24
November,	6	13	8		27
	<u>122</u>	<u>121</u>	<u>93</u>	<u>1</u>	<u>337</u>

Note.—One man has wore the ball and chain about 2 months, as he was considered dangerous without it.

At Auburn Prison. Time Table.

Months.	Time of unlocking.	Time of locking.	Time occupied in going from cells to shops.	Time occupied in washing 3 times per day.	Time occupied for breakfast and dinner.	Working time each month.
January,.....	7 o'clock, 00 m.	4 o'clock, 45 m.	15 minutes.	15 minutes.	50 minutes.	8 hours 25 minutes.
February,.....	6 " 40	5 " 35	"	"	"	9 " 35 "
March,.....	5 " 45	6 " ..	"	"	"	10 " 55 "
April,.....	5 " 30	6 " ..	"	"	"	11 " 10 "
May,.....	5 " 30	6 " ..	"	"	"	11 " 10 "
June,.....	5 " 30	6 " ..	"	"	"	11 " 10 "
July,	5 " 30	6 " ..	"	"	"	11 " 10 "
August,	5 " 30	6 " ..	"	"	"	11 " 10 "
September,	5 " 30	6 " ..	"	"	"	11 " 10 "
October,.....	6 " 00	5 " 45	"	"	"	10 " 25 "
November,.....	6 " 40	4 " 50	"	"	"	8 " 50 "
December,.....	7 " 00	4 " 35	"	"	"	8 " 15 "

Average time of working each day, 10 hours and 17 minutes.

CHAPLAIN'S REPORT.

To the Hon.

The Board of Inspectors of Prisons for the State of New-York :

Gentlemen—The undersigned, chaplain of Auburn prison, in compliance with an annual duty prescribed to him by law, respectfully submits the following report for the first ten months of his chaplaincy of said prison, ending Dec: 1st, 1851.

That so much of its concerns as are placed under his charge, viz: the educational, moral and religious, are in a very satisfactory condition. Still the short period in which I have acted as chaplain here, will not enable me to speak emphatically, of the results of my efforts; but I look forward with much confidence to the future; and am encouraged to continue my exertions for the reformation and conversion of these guilty and unfortunate men.

The present is a new era in the history of Auburn State prison, being the first time that a chaplain has ever been appointed from the Protestant E. Church. The introduction of that spiritual and experimental volume, the Prayer Book, is to all appearance, having a very happy effect upon the minds of the men confined here. The difficulty anticipated by non-Episcopalians, in introducing the services of the church into this place, had only an ideal existence as they have admitted to me many times since its introduction. The discoveries that many of these guilty and unfortunate men have made since their acquaintance with the Prayer Book, have both pleased and surprised them. Contrary to the expectations of many, they have found its doctrines scriptural and evangelical; its prayers and songs of praise, instead of being defective and stale, and enslaving as they supposed the devotional feeling, they have formed a fitting language for every emotion which could occupy their souls; every varying feeling

of the soul has been gratified : it does not as was anticipated, wear out, but like fine gold its brightness increases with its use, and the secret of this is that its breathing thoughts and burning words were inspired by the spirit of truth. He that is familiar with this book is conscious of the oneness of thought, feeling, sentiment and language, which pervades the Holy Scriptures and the Book of Common Prayer.

And in it, we find the absence of every thing which can mark it with a *sectarian* character. It embodies those great truths of the Holy Scriptures, which are not the peculiar property of any age or country, much less of any sect or denomination of Christians. They are truths which belong to the church in all ages, and bind the heart of all Christians in a bond of harmony and love.

And we lift our heart in gratitude to Him who directs all things, that in His wisdom, He inclined you to send to these guilty and erring ones, this *Companion* of the Bible.

After a short experience here, I found that my greatest effort for the good of these immortal souls, must be made on the Sabbath, in the public preaching of the gospel. I found a great difficulty in dealing with them profitably at their cells. They deny that they are guilty ; or that they were led into the commission of the crime of which they are all charged by other men worse than themselves, who are still at large, others were under the influence of drink ; and in this way they raise a barrier against any moral and religious instruction and admonition that I may give them at their cell doors. To these I have no gospel message to deliver, " Christ came not to call the righteous, but sinners to repentance." My commission is to sinners, and, judging from many of these men's own account of themselves, of the goodness of their heart, the correctness of their conduct, and the multitude and excellency of their meritorious actions, we should conceive them not to belong to the *lost* race, whom the Son of Man came expressively and *exclusively* to save. To pursue the self-justiciary, here, into all his " refuge of lies," and sweep them away before his face, when he has the opportunity of defence, and drawing about him his cloak of hypocrisy, is almost a hopeless

task. While, therefore I have reasoned with them in the still watches of the night, and after public services on the Sabbath, I have given more attention to the *public* means of grace for their reformation. There, I have endeavored to exhibit before them fully, constantly and connectedly, sin, the law and the saviour ; there, I have endeavored faithfully and affectionately to apply to their conscience the pride, guilt, ingratitude and ruin of their sinful course ; and have repeatedly made the announcement, that the substitution of any form of doctrine, or outward duties, or a cloak of self-righteousness in the place of sincere repentance, frank confession, entire forsaking of sin, and simple reliance on Christ, turns life itself into death, and hinders not only the law but the gospel itself from saving them.

But there are others who ingenuously and penitently acknowledge their crime, deplore deeply their guilt, and anxiously inquire, " what shall I do to be saved ? " From the eyes of the hardened criminal have streamed tears of penitence and remorse, and God and man have been thankful for the gospel, for the prison with all its privations and hardships in which the gospel is preached.

The young gentlemen of the Theological Seminary still devote themselves with unabated zeal and perseverance to the sabbath school, " having respect for that recompense of reward," beyond the grave. The Sabbath school is under my supervision, and in my visits there, I notice that the truths of the Bible are familiarly and forcibly impressed on the mind and the conscience, which must through God's blessing tell upon their subsequent lives and in eternity.

There are now in the library about 700 vol. suitable for use. These books are placed in the shops in charge of the keepers, each keeper acting as librarian for his shop. The books are changed from one shop to another, as often as is deemed desirable for the benefit of all concerned. This library is replenished every year with books purchased with the appropriation (\$100) made by the statute from the Literary Fund. Still the library is entirely inadequate to the wants of the prison ; after all the care and pains that can possibly be taken, the books are fast going to pieces, and the decrease is greater than the increase.

The Protestant Episcopal Tract Society, the Prayer Book Society, and the American Bible Society are entitled to our acknowledgments for Tracts, Prayer Books and Bibles, sent me to present convicts gratuitously while here and when discharged from the prison. And my prayer to God is, that by the increase of his blessing, he will give continual enlargement to their plans, sphere and means of usefulness.

I would solicit the attention of your honorable board, it has often been done by my predecessor, to the very imperfect manner in which the wings, where the convicts are confined at night, are lighted. I can say with him, that I can see no reason whatever, for confining 700 or 800 men in almost total darkness, and consequently in idleness for so large a portion of the time, as at present. No good can possibly be accomplished by it, while the result must be evil. In fact, the direct result must be to debase and brutify the whole man, and fit him for continual confinement in *inner* darkness on the earth, and in *outer* darkness in eternity.

The correspondence of convicts with their friends, has been conducted chiefly by the chaplain, under the direction and supervision of the warden ; about 450 letters have been written for 400 convicts.

The school is as well sustained as can be under the circumstances, as the teachers are obliged to go from cell to cell, as their time is limited, they can spend but a few moments with each man, still they are much interested with their work, and pursue it punctually and faithfully, their report which is appended will show the state of the school.

Every facility is granted the chaplain for pursuing his appropriate work, and so far as can be seen, there is a cordial concurrence in the mode of worship now used here.

May God's blessing rest upon every department of this institution.

All which is respectfully submitted.

By your obedient servant,

E. W. HAGER, Chaplain.

State Prison, Auburn, Dec. 1st, 1851.

STATEMENT

Of the Chaplain of Auburn State Prison concerning the convicts confined therein on the first of December, 1851; reported in accordance with subdivision 6, of section 60, title 2, article 1, of Chap. 460, entitled "An act for the better regulation of County and State prisons."

TABLE 1.

Counties where convicted.

Albany,.....	36	Monroe,.....	75
Allegany,.....	7	Montgomery,.....	3
Broome,.....	5	New-York,.....	11
Cattaraugus,.....	6	Niagara,.....	15
Cayuga,.....	27	Onondaga,.....	42
Chautauque,.....	15	Oneida,.....	41
Chemung,.....	11	Ontario,.....	24
Chenango,.....	14	Orleans,.....	17
Clinton,.....	6	Oswego,.....	19
Columbia,.....	2	Otsego,.....	12
Cortland,.....	2	Queens,.....	2
Delaware,.....	9	Rensselaer,.....	18
Dutchess,.....	5	Saratoga,.....	9
Erie,.....	161	Schoharie,.....	4
Essex,.....	3	Seneca,.....	7
Franklin,.....	2	Steuben,.....	10
Fulton,.....	6	St. Lawrence,.....	5
Genesee,.....	12	Tioga,.....	7
Greene,.....	9	Tompkins,.....	5
Herkimer,.....	16	Washington,.....	3
Jefferson,.....	32	Wayne,.....	11
Kings,.....	1	Wyoming,.....	12
Lewis,.....	3	Yates,.....	9
Livingston,.....	22		
Madison,.....	7	Total,.....	771

TABLE 2.

Age of Prisoners.

Under 20,	85	Between 40 and 50,	90
Between 20 and 30,	332	50 and over,	39
" 30 " 40,	175		
			<hr/> 771 <hr/>

TABLE 3.

Nativity.

Natives of United States,	561	Natives of Sweden,	1
Canada,	41	Mexico,	1
Ireland,	79	West Indies, .	1
England,	53	Switzerland, .	1
Germany,	18	France,	6
Scotland,	8	Portugal,	1
			<hr/> 771 <hr/>

TABLE 4.

How often committed.

1st. time,	653	4th time,	6
2d " 	90	6th " 	2
3d " 	20		
			<hr/> 771 <hr/>

TABLE 5.

Occupation.

Farmers,	175	Millers,	7
Blacksmiths,	15	Upholsterers,	5
Butchers,	9	Cooks and waiters,	15
Boatmen,	51	Cigar makers,	3
Carpenters,	39	Saddlers,	5
Sailors,	48	Cabinet makers,	20
Bakers,	4	Engineers,	4
Barbers,	16	Gardeners,	7
Weavers,	3	Merchants,	10
Painters,	11	Gunsmiths,	2
Teachers,	5	Hatters,	3
Masons,	9	Machinists,	13

Coopers,	17	Farriers,	2
Clerks,	14	Pedlars,	16
Tailors,	11	Physicians,	3
Printers,	7	Watchmakers,..	4
Ostlers,	9	Miscellaneous,	234
Tanners,	3		
			<hr/>
			771
			<hr/>

TABLE 6.

Terms of Sentence.

1 year, and under 2,....	2	7 years, and under 8,....	31
2 " " 3,....	359	10 " " 15,....	34
3 " " 4,....	99	15 " " 20,....	6
4 " " 5,....	52	20 " " 25,....	4
5 " " 6,....	137	For life,	17
6 " " 7,....	29		
			<hr/>
			771
			<hr/>

TABLE 7.

Mental Culture.

Cannot read,	183	Common education,	40
Read only,	96	Classical education,	2
Read and write,	450		
			<hr/>
			771
			<hr/>

TABLE 8.

Habits.

Temperate,	203	Moderate,	130
Intemperate,	438		
			<hr/>
			771
			<hr/>

TABLE 9.

Social state.

Married, or had been married,	604
Unmarried,	167
	<hr/>
Total,	771
	<hr/>

E. W. HAGER,
Chaplain.

To Rev. E. W. HAGAN, Chaplain :

While submitting to you the following report of our labors as teachers, we would in justice to you, as well as to the warden and agent, acknowledge a degree of kindness and promptness in supplying us with needed facilities for our work, which have contributed much to its pleasantness.

But while cheerfully acknowledging this aid, and feeling confident that we have used it well, we are conscious that all is not yet done which might be done to make our department of prison labor as efficient as the claims of humanity demand.

We are often compelled to leave to the darkness of their cells, and the still gloomier darkness of an almost hopeless state of mind, many young men, who might if kept employed in seeking useful knowledge, be yet awakened to hope, cheerfulness and reform. When such solicit our aid, or beg for a light by which to read, we often wish an additional teacher to help us practically proclaim to the outcast the mercy of that society he has abused ; and still oftener are we led to hope the day not far distant when through the long winter evenings, every cell shall be so lighted that all may read.

This would surely not interfere with the end of their punishment, for if the peace and security of society be that end, though it were admitted that all to whom the hand of mercy is thus tendered were men confirmed in vice ; yet, as most of them are soon again to be let loose upon that society, how important that every reforming influence be cherished, every debasing one avoided ; that men who are shut up in a prison cell fourteen hours out of the twenty-four, have something else to occupy their thoughts than the dark reminiscences of a life of crime.

But they are not all thus hardened ; on the minds of very many of them, the remembrance of home and other days has yet a reforming power ; with such there is often left enough of self respect to be kindly roused, even to the changing of the dangerous criminal into the loyal citizen. This will appear the more

probable when we consider the large proportion of our convicts who are young men, of whom about one-half were intemperate drinkers, and one-quarter were intoxicated while committing the crime for which they are now imprisoned.

In going from cell to cell, each teacher can instruct thirty to thirty-five in an evening. That we may reach as many as possible, we take about double this number and then teach each half on alternate evenings.

The whole No. taught by us since December 1850, is.....	226
We have now under tuition,	147
Whole number taught in reading,.....	165
“ “ “ writing,.....	82
“ “ “ arithmetic,.....	73
Of these there were who did not know the alphabet,	48
Knew the alphabet and could read a little,.....	97
Number of those who could not write,.....	76
Who knew nothing of written arithmetic,	126

Respectfully,

THOMAS CONDON,
JOHN S. BRISTOL,
Teachers.

AUBURN, November, 1851.

To the Hon. Board of Inspectors of State Prisons of the State of New-York:

Gentlemen—The following table includes all the deaths occurring in this prison since date of last report from this department.

Name

Name	Age	Color	Crime	Date of Death	Place of Death
Van Valkenburg, Jas.,.....	20	White.	Highway robbery,.....	January 11th, 1851,	Prison Hospital.
Gillson, Horace.....	29	"	Pet. larceny, 2d offence,	March 13th.	"
Harris, Samuel.....	19	"	"	"	Erysipylas.
Rallantine Alexander.....	35	"	Burglary,	April 22d,	Phthisis Pulmonalis.
.....	24	"	"	May 17th,	"
Clark, Samuel.....	46	"	Seduction,	" 23d,	Asthma.
Moore, Clayton S.,.....	35	"	Burglary,.....	" 30th,	Peripura.
Riley, James.....	20	"	Pet. larceny, 2d offence,	" 31st,	Phthisis Pulmonalis.
Kirby, Joseph,	52	"	"	"	Venerial.
Meyer, Henry,	47	"	"	"	Dysenteria.
Hayners, John	22	"	Manslaughter 3 degree,	th	Febris Typhoid.
Maddison, James	40	Black.	Grand larceny,	"	Phthisis Pulmonalis.
Hathaway, Sidney,.....	38	White.	"	November 9th,	Comp. fract. of fore arm.

Respectfully submitted,

LANSINGH BRIGGS, Physician and Surgeon.

AUBURN STATE PRISON HOSPITAL, Dec. 1st, 1851.

DOCUMENTS
IN RELATION TO SING SING PRISON.

REPORT OF THE AGENT.

SING SING PRISON,
Agent's Office, Dec. 1, 1851. }

To Alexander H. Wells, Darius Clark, and William P. Angel,
Esquires, Inspectors of State Prisons.

The agent of the Sing Sing Prison respectfully submits to the Board of Inspectors, the following statement of the transactions of this prison during the fiscal year terminating on the 30th day of September, 1851.

Having entered upon the duties of my office on the 20th day of November, 1850, the transactions detailed in this report previous to that date, are of course those of my predecessor, as exhibited by his accounts, vouchers, &c , which will be found in their proper order, duly verified by him.

General statement of cash receipts from all sources.

The total cash receipts from all sources of prison income during the fiscal year, including the appropriations of \$12,000 by the State, amount to.....	\$83,424 77
The total expenditures for all purposes during that period (including the sum of \$2,502.21, paid by me on account of liabilities incurred previous to the commencement of the present fiscal year, amount to.....	79,506 82
Balance of cash receipts over cash expenditures,..	<u>\$3,917 95</u>

For the various items of cash receipts and expenditures, the Inspectors are respectfully referred to schedules A, B, C, D, hereunto annexed.

Earnings of the Prison.

The cash receipts for earnings and products of convict labor of the prison during the year, (exclusive of miscellaneous receipts,) amount to		\$69,003 78
Miscellaneous receipts, rent of State farm, &c.,....		2,403 30
The amount of convict labor executed for the State during the same period, estimated at 40 cents per day, being the ordinary contract price, is ..		16,348 00
Total amount of cash receipts and labor performed for the State,.....		\$87,755 08
Total amount of cash expenditures,.....		79,506 82
Leaving a balance for excess of earnings over cash expenditures, of.....		\$8,248 26
Deduct cash paid for debts incurred previous to the commencement of the present fiscal year, as before stated, from the amount of gross cash expenditures for the year, and the excess of earnings over the expenditures for the fiscal year amounts to.....		\$10,668 25

For the particulars of the above statement of earnings the Inspectors are respectfully referred to schedule E, hereunto annexed.

The above aggregate of receipts and the general expenditures of the prison, present more favorable results than have heretofore been realized from the labor of convicts, in the Sing Sing prison. In the absence of losses by fire, or other casualties, this financial improvement would seem to warrant a confidence in the ability of the prison to sustain its own ordinary expenses, independently of the charge imposed by the annual deficiency in the earnings of the female department. It will be observed, however, by reference to the statement of its earnings for the last year, as compared with the preceding, that an improvement has also taken place in that prison, to the amount of nearly one thousand dollars. It will be seen also that a diminution has taken place in

the expenses of the female prison during this improvement in its earnings, of over two thousand dollars.

The total amount of cash receipts from contract labor and all other sources, (exclusive of appropriations from the State,) for the fiscal year ending September 30th, 1851, was.. \$71,424 77

The total amount of cash receipts from the same sources for the last fiscal year, was..... 53,479 38

Excess of cash receipts from earnings, &c., for this, as compared with the last fiscal year,..... \$17,945 39

The amount which the earnings of the prison this year, fall short of liquidating its whole expenses both male and female prisons and incidental expenses included, is but \$1,808.78; for particulars of this result, the Inspectors are respectfully referred to schedule F, hereunto annexed.

The liabilities of the prison on the 30th September, 1851, for debts contracted during that year, other than the amount due officers and guards on the 1st October, 1851, were about \$3,677.68.

The amount of credits due the prison, earned or accruing during the same period and remaining unpaid, was about \$2,914.62.

In addition to the disbursements for the ordinary support and incidental expenses of the prison the agent has expended in cash, in constructing new shops, the sum of \$2,663.20. With this amount there has been constructed:

1. A shop for manufacturing shooks to fulfill a contract; the stone part of which shop is 70 feet in length by 36 in breadth, the wood part of the same shop being 100 feet in length, by 26 in breadth. This part of the shop was mostly built out of an old building, formerly standing on the prison dock, and known as the stone house.

2. A stone shop for the manufacturing of saws to fulfill a contract for 5 years, 83 feet in length and 36 feet in breadth, with slate roof.

3. A wooden shop, with tin roof, for grinding saws, 75 feet in length by 32 feet in breadth.

4. An engine room, with tin roof, 45 feet by 22 feet, constructed of brick.

The following contracts for convict labor have been made during this year :

1. With Henry R. Hubbell, for the services of from 30 to 50 convicts, to be employed in manufacturing shooks for a term of five years, at 40 cents per day per man.

2. With James Horner & Co., for the services of from 50 to 100 convicts, for a term of from 3 to 5 years, to be employed at the manufacturing of files and saws, at 40 cents per day. This contract has been assigned to Cortlandt Wood & Co., with the consent of the agent and the approbation of the Inspectors.

The other existing contracts are as follows :

1. With Thomas Weatherby, for the services of from 20 to 30 convicts, at carpet weaving, for 5 years from the 1st September, 1848, at $40\frac{1}{4}$ cents per day.

2. With Joseph I. Lewis, for the labor of 50 convicts, at the manufacturing of saddlery hardware, for 5 years from the 10th day of January, 1849, at 35 cents per day per man.

3. With the same, for the services of from 30 to 50 convicts to be employed at the same business, and at the same price, for 5 years from the 1st day of May, 1850.

4. With Hotchkiss and Smith for the labor of 50 convicts, at the making of carpets and rugs at $40\frac{1}{4}$ cents per day, per man, for 5 years from the 1st day of December, 1847.

5. With Henry A. Taylor for the employment of 30 convicts with privilege of increasing the number to 150 at quarrying and burning lime stone, &c., at 40 cents per day per man, for five years from 1st May, 1847.

6. With Samuel Taylor for the services of all the practical coopers in the prison at 50 cents per day, per man, for 5 years, on and from the 1st January, 1848.

7. With Charles Watson for the services of from 10 to 30 convicts, who are hatters by trade, with the privilege of employing as many more as may be at the disposal of the agent, who are certified hatters, for the manufacture of wool hats, at 40 cents per man, per day, for 5 years from the 1st May, 1849.

8. With James Horner & Co., for the employment of from 50 to 75 convicts at cutting and making files, for five years, from the 1st May, 1849, at 40 cents per day per man, with the privilege of increasing to 150, if that number be at the disposal of the agent.

9. With James Johnston for the services of from 20 to 50 convicts to be employed in the business of manufacturing tapestry carpets at 40 cents per day per man, from the 1st day of October, 1850, for 5 years.

There is also a temporary contract with Charles Watson for the employment of as many female convicts, as may be at the disposal of the agent, in trimming and binding hats, at 20 cent, per dozen.

The following is a statement of suits now pending and instituted as well by the agents of this prison, as by individuals against the same :

My late predecessor in his report of the date of 30th September, 1850, to the Inspectors of State Prisons, stated that at that time he was under the advice of the Inspector in charge, advertising for the letting of the services of "from 50 to 100 convicts to be employed in manufacturing saws and files, and from 20 to 30 for making shooks."

In pursuance of the steps thus taken and under the advice and approbation of the Inspector in charge, an offer of Messrs. James Horner & Co., was accepted for the services of from 50 to 100 convicts to be employed in making saws at the rate of 40 cents per day, and a contract in writing executed by me and the contractors to that effect, with the approbation of the Inspectors, was subsequently assigned to Cortlandt Wood & Co., and the services of from 30 to 40 convicts having been from time to time, assigned to Messrs. Wood & Co., and the contract in the course

of execution having been found an advantageous one to the State, an additional number of convicts was occasionally assigned to that employment of such as had no previous trade, though less than a hundred in all were so allotted.

While the contractors were proceeding according to the terms and upon the faith of their contract, a most extraordinary attempt was set on foot to prevent the fulfilment of it, by an action commenced by one *Smith*, describing himself as a journeyman saw maker, and asking for an injunction against the agent and the contractors, to prevent the further prosecution of the business of saw making in the State prison at Sing Sing, on the ground that the principal supply of saws was derived from manufacturers in this State, and not from foreign States or countries. This application for an injunction having been denied by Chief Justice Edmonds, the party saw fit to discontinue that action, but has since commenced a new one in the Supreme Court, adding names of other journeymen saw makers, and in, and on behalf, of such as may come in, and contribute to the expenses of the suit. They also pray for an injunction against the agent and contractors to restrain them from the further manufacture of saws under the present contract, and to have it surrendered and cancelled, and to prohibit the making of any similar contract in future, and demand \$1,000.00 damages as already sustained.

To say nothing of the legal expenses incurred by this novel proceeding, these attempts to break up contracts beneficial to the State, are calculated to deter parties from entering into any contract for convict labor in any manufacture, if they are liable to be thus assailed by every individual who may imagine his interests are affected by what is called the competition of convict labor. How far this subject may deserve the attention of the Legislature, is respectfully submitted to the judgment of the Inspectors, as well as what particular measures they may see fit to suggest to prevent a recurrence of similar vexations.

The suit of Zalmon J. McMasters and Jacob J. Merritt against the agent of this prison, was commenced in November, 1848, to recover the value of certain property alleged to have been destroyed by a fire at the prison on the 19th day of July, in the year 1848.

The right of the plaintiffs to recover seems to be based upon the alleged carelessness and unskillfulness of the officers of the prison for the time being, in erecting a certain engine house and steam engine in the yard of the prison, and in the management of such engine by the convict in charge thereof, from the furnace of which the fire is said to have originated.

A verdict for the plaintiffs was obtained in this suit at the Westchester circuit court, held in April last, upon which they entered up a judgment against the agent of this prison, on the 13th day of last November, for damages and costs \$10,980.68.

As numerous exceptions on behalf of the State were taken at the trial, presenting important questions of law, instructions were given by my predecessor to the attorneys for the State to take the case to the general term of the supreme court for its decision.

A bill of exceptions was accordingly made on behalf of the State, which has been incorporated in the judgment roll, and an appeal was taken from the judgment on the 5th day of December instant, and the suit is now pending before the general term of the supreme court in the second circuit.

On the 13th day of June last, an action similar to the one above mentioned, was commenced against the agent of this prison by Abijah Fitch, Thomas M. Hunt, and Henry H. Cooley, who claim to be assignees of the property and rights in action of Horace Hotchkiss and William P. Smith, former contractors in the prison. The suit in question is brought to recover the value of certain property of Hotchkiss & Smith, alleged to have been destroyed by the fire in the prison on the 5th day of February, in the year 1850, which, it is alleged, was caused by the carelessness of the officers of the prison in erecting and managing a certain stove or stoves, put up for the purpose of warming the shops of the prison.

This cause has been noticed for trial on behalf of the State at several circuit courts held in the county of Westchester, but was not reached on the calendar until the circuit held on the 4th Monday of November last, when it was put over that term on the application of the plaintiffs, and the same is still pending and at issue on the pleadings.

In June, 1850, my predecessor commenced an action against Horace Hotchkiss and William P. Smith, for a balance of convict labor amounting to \$6,327.07. The defendants put in an answer to the complaint setting up and alleging, by way of defence, certain breaches on the part of the agent of the prison of the two contracts under which the labor was performed. The damages for these alleged breaches of the contracts having been liquidated and settled by an arbitration had between the agent of the prison and Hotchkiss and Smith, such arbitration and the award therein was set up by way of reply to the defendants' answer.

The amount of this award has been paid to the assignees of Hotchkiss and Smith, after deducting the amount due for convict labor, this was done under and in pursuance of chapter 352 of the Laws of 1851, which leaves the balance of such award for future settlement and final determination between the parties, and which leaves the question still unsettled whether the amount claimed in this suit is to be finally deducted from the amount of said award.

This cause has been noticed for trial on behalf of the State at the several circuit courts held in the county of Westchester, at which it has not been reached on the calendar. It was noticed and prepared for trial at the Westchester court held on the 3d Monday of September last, and the trial thereof was commenced, but it was put over the term by occasion of sickness in the family of one of the jurors empanelled to try the same. It was again noticed and prepared for trial at a circuit court held on the 4th Monday of November last, and was then put off on the application of the defendants, and it is still pending and at issue on the pleadings. John Humphries, late a contractor in the prison, commenced an action against the agent thereof on the 5th day of November last; but as the suit was commenced by summons, and the complaint has not yet been served; I am unable to state the nature or object thereof.

The total cost of rations for both prisons for the year 1850, with a daily average of 775 convicts, was.....	\$27,660 71
That of 1851, for both prisons, with a daily average of 796 convicts, was.....	23,122 04
Difference in favor of 1851,.....	<u>\$4,538 67</u>

The average cost of a daily ration in 1850 was 8 cents 65 mills.
The same in 1851, was 7 cents and 73 mills.

In view of this improvement in the financial department of the prison during the past year, and the prospect of an increased income from the same sources for the coming year, the agent feels great pleasure in being able to announce that he sees at present, no necessity for appealing to legislative aid, to meet the current expenses of the present fiscal year. If no unforeseen misfortune should occur, the current receipts from the earnings of the convicts and other sources, will suffice for all purposes now charged to and paid out of those funds.

While I beg to tender my congratulations on this favorable state of the fiscal operations of the prison, I should do injustice to the Inspectors as well as to my own sentiments, if I did not also acknowledge the very great benefits derived from their active and energetic supervision of the prison, and I cannot but feel that the State is much indebted to them for this exemption from any appropriation for its future support.

All of which is respectfully submitted,
MUNSON J. LOCKWOOD,
Agent of Sing Sing Prison.

(A.)

ALFRED R. BOOTH, agent of the Sing Sing prison, in account current with the People of the State of New-York: For cash received on account of the said prison, and expended for the general use of the same, from the 1st day of October to the 20th day of November, 1850.

1850.

Dr.

Oct. 1.	To balance from last month's account brought forward,.....	\$3,711 06	
31.	To cash from contractors and all other sources this month,.....	\$1,181 74	
Nov. 20.	To cash from contractors and all other sources to date, .	4,135 48	
		<u>5,317 22</u>	
			<u><u>\$9,028 28</u></u>

1850.

Cr.

Oct. 31.	By cash expended for general support, &c. of said prison this month,..	\$3,621 48	
Nov. 20.	By cash expended for general support, &c., of said prison to date,.....	4,798 14	
		<u>\$8,419 56</u>	
	Balance in agent's hands to date,.....	608 72	
			<u><u>\$9,028 28</u></u>
Nov. 20.	By balance carried forward,..	\$608 72	

(B.)

MUNSON J. LOCKWOOD, agent of the Sing Sing Prison, in account with the People of the State of New-York, for cash received and expended for the general support and payment of debts, &c., from the 20th of November, 1850, to the 30th of September, 1851, both days inclusive.

1850.	Dr.		
Nov. 20.	To cash received from late agent bro't forward,		\$608 72
30.	cash received from contractors and all other sources, this month, . . .	\$67 26	
Dec. 31.	do do	4,684 48	
1851.			
Jan. 31.	do do	5,519 44	
Feb. 28.	do do	5,699 45	
Mar. 31.	do do	5,896 03	
Apr. 30.	do do	6,142 04	
May 31.	do do	5,973 65	
June 30.	do do	6,667 31	
July 31.	do do	10,902 31	
Aug. 31.	do do	11,150 83	
Sept. 30.	do do	15,406 75	
			78,107 55
			<u>\$78,716 27</u>

1850. Cr.

Nov. 20 to

Nov. 30.	By cash expended for general support, &c., this month,	\$126 16
Dec. 31.	do do	5,275 42
1851.		
Jan. 31.	do do	3,714 32
Feb. 28.	do do	5,197 62
Mar. 31.	do do	6,523 47

Apr. 30.	By cash expended for general support, &c., this month,	5,850 36	
May 31.	do do	6,086 01	
June 30.	do do	5,096 02	
July 31.	do do	11,869 77	
Aug. 31.	do do	9,776 52	
Sept. 30.	do do	11,471 60	
			\$71,087 26
	Balance in agent's hands carried forward to 1st October 1851,		7,629 01
			<u>\$78,716 27</u>

The annexed table marked C., exhibits the cash receipts of the prison, showing the sources from whence derived, &c., for the year ending 30th September, 1851.

(C.)

STATEMENT,

Exhibiting the amount of cash received from all sources by the agent of the Sing Sing Prison, during the year ending the 30th September, 1850, and the sources from whence the same was derived.

Balance from last year's account brought forward,	\$3,711 06
Cash received during the year as follows:	

Weave contracts.

Thomas Weatherby, Hotchkiss and Smith, and James Johnson,	\$16,331 84
---	-------------

Lime contract.

Henry A. Taylor,	4,353 90
----------------------------	----------

Cooper contract.

Samuel Taylor,	746 50
--------------------------	--------

Hat contract.

Charles Watson, \$17,679 54

Sadlery and hardware contract.

Joseph I. Lewis, 11,217 16

File contract.

James Horner & Co., and others, 8,099 98

Cabinet contract.

Charles H. Woodruff, 3,851 27

Saw contract.

Cortlandt Wood & Co., 2,444 37

Shook contract.

Henry R. Hubbell, 647 12

Stone shop and quarries.

For stone, and cutting the same, &c., . . . 3,700 60

Rents, &c.

Rent of State farm, &c., 234 97

Clothing.

Rags, wool, &c., sold, 226 58

Oil and fuel.

Old oil and camphine bbls., sold, &c., . . . 31 00

Hospital stores.

Empty packages, &c., sold, 35 00

Provisions.

Sale of bones, swill, empty bbls., grease,
&c., 1,048 38

Visitors.

Sundry visitors during the year, 361 92

Convicts' deposits.

Cash deposited by convicts upon arrival, . . . 17 49

Discharged convicts.

Error by A. R. Booth in 1849, refunded, . . . 20

United States convicts.

Received from U. S. marshal, for sup-
port of sundry U. S. convicts con-
fined in this prison, 497 00

Appropriations.

Received from the Comptroller, special appropriation for the payment of old debts, &c., &c.,.....	12,000 00	
	<hr/>	83,424 77
		<hr/>
		<u>\$87,135 83</u>

The following statement, marked D, exhibits the amount of cash expended during the past year and for what purpose :

(D.)

STATEMENT,

Exhibiting the amount of cash expended by the agent of Sing Sing Prison for the general support of the same, and payment of old debts, &c., during the year ending 30th September, 1851.

Salaries of prison officers and teachers,..	\$23,620 39	
Pay of prison guards,.....	11,863 50	
Provisions,.....	25,650 30	
Clothing,	4,108 96	
Oil and fuel,	2,934 44	
Furniture,	927 08	
Hospital stores,	2,030 30	
Building and repairs,.....	2,663 20	
Stone shop and quarries,	2,037 45	
Postage and stationery,	187 22	
Discharged convicts,.....	1,132 14	
Convicts' deposits refunded,	123 41	
Transport of lunatic convicts,.....	68 75	
U. S. Convicts, refunded to U. S. marshal, fines,	1 00	
Incidental, counsel fees, advertising, damages by late fire, &c.,	2,163 68	
	<hr/>	\$79,506 82
Total amount of expenditure, including old debts contracted previous to 1st Oct., 1850, and paid during the present year,	79,506 82	
Deduct for the amount of above old debts,	2,562 21	
	<hr/>	
Nett expenditure for the year ending 30th September, 1851,.....		<u>\$76,944 61</u>

The next following statement exhibits the earnings of the prison, including contract work, and the unproductive labor of those convicts employed in the service of the State in building shops, repairing buildings, manufacturing clothing, and all other work, &c., during the past year.

(E.)

STATEMENT,

Exhibiting the amount of earnings in the Sing Sing Prison from contract labor and all other sources, during the year ending September 30th, 1851.

Weave contract, Thomas Weatherby, Hotchkiss & Smith, James Johnston,.....	\$16,231 84
Lime contract, Henry A. Taylor,.....	4,353 90
Cooper contract, Samuel Taylor,.....	746 50
Hat " Charles Watson,.....	17,679 54
Sadlery and hardware contract, Joseph J. Lewis,..	11,217 16
File contract, James Horner and others, ...	8,099 98
Cabinet contract, Charles H. Woodruff,.....	3,851 27
Saw " Cortlandt Wood & Co.,.....	2,444 37
Shook " Henry R. Hubbell,.....	647 12
Stone shop and quarries, marble cut, and stone sold, &c.,.....	3,700 60
State farm, rent of John Humphries and others,..	234 97
Clothing, paper, rags, &c., sold,.....	226 58
Oil and fuel, coal dust, oil and camphine barrels, sold, &c.,.....	31 00
Hospital stores, empty packages, demijohns, &c., sold,	35 00
Provisions, soap grease, swill, bones, and empty provision barrels sold, &c.,.....	1,048 33
United States, received from U. S. marshal for support of U. S. convicts confined in this prison,..	497 00
Visitors, sundry persons visiting this prison during the year,.....	361 92
	<hr/>
	\$71,407 08

Total amount of earnings, &c., brought forward,.. \$71,407 08

*Convict labor executed for State purposes from 1st
October, 1850, to 30th September, 1851.*

By convict masons, 4,129 days.

" " carpenters, 4,442 "

" " stone cutters, 5,947 "

" " blacksmiths, 4,442 "

" " coopers, 313 "

" " quarrymen, 5,634 "

" " laborers, 5,947 "

" " teamsters, 1,878 "

" " tailors, shoemakers,
and weavers, 8,138 "

Total number of days, 40,870 " at the
average price of convict labor of 40 cents per day, 16,348 00

Total nett earnings of male prison from all sources, \$87,755 08

(F.)

The total amount of expenditure during the year,
was,..... \$79,506 82

From which deduct for all debts incurred previous
to the present fiscal year, but paid out of the
present annual receipts,..... 2,562 21

Leaving the nett yearly expenditure at..... \$76,944 61

The total receipts from all sources being \$83,424 77

Deduct amount received from State
treasury, 12,000 00

Leaves the actual cash receipts from
prison income alone at..... 71,424 77

Add, the cash balance on hand on the 1st
day of October, 1850, & not included
in the above amount of cash rec'pts, 3,711 06

75,135 83

Leaving a balance of..... \$1,808 78

Being the difference which the prison actually falls short of pay-
ing its own expenses for the past year, independent of all resour-
ces of cash relief received from the State treasury.

The following statement exhibits the earnings of the female convicts employed on contract labor at hat binding during the year ending 30th Sept., 1851, exclusive of the work done for the State in making and repairing convict clothing, washing hospital linen, &c.

1850, amount of earnings for the month of October,..	\$265 57
do do November,	227 75
do do December,	214 20
1851, do do January,..	279 25
do do February,.	291 85
do do March,...	369 99
do do April,....	352 85
do do May,.....	387 83
do do June,....	285 60
do do July,.....	266 83
do do August,..	281 57
do do Sept'mber,	262 00
Nett amount of earnings on contract labor,.....	<u>\$3,585 29</u>

STATEMENT

Exhibiting the expenses of the female prison for the fiscal year ending September 30th, 1851.

Fuel and lights,.....	\$1,100 00
Furniture and clothing,.....	760 00
Salaries of matron and assistants,.....	1,900 00
Guards,.....	720 00
Agent, clerk, chaplain and physician, one-eighth part of salary each,.....	362 50
Rations,	2,101 15
Hospital,	350 00
Repairs this year,	600 00
Waiters, teamsters and laborers,.....	584 00
Discharged convicts, mileage, &c., and clothing,.....	200 00
	<u>\$8,677 65</u>
The earnings for the same period on contract labor were,.....	\$3,585 29

The earnings on State work, clothing, &c.,	600 00	
	<u> </u>	4,185 29

Excess of cost of support over the earnings for the year 1851,		<u>\$4,492 36</u>
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The net amount of cash receipts from all sources this year, deducting all cash drawn from State treasury was,		\$71,424 77
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The same for the previous year was,		53,479 38
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Balance in favor of 1851,		<u>\$17,945 39</u>
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The cash receipts for contract convict labor alone in 1851 were,		\$68,972 28
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The same for 1850 were,		48,808 43
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Balance in favor of 1851,		<u>\$20,163 85</u>
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It will be found upon reference, that the above receipts are an excess over any other period of the past ten years.

The nett earnings from contract labor at the female prison for the present year were,		\$3,585 29
---	--	------------

The same for 1850 were,		2,665 13
-------------------------------	--	----------

Balance in favor of 1851,		<u>\$920 16</u>
---------------------------------	--	-----------------

Being an excess over the earnings of the female convicts of any previous year since the existence of this institution.

The average of monthly receipts throughout the year was,		\$6,952 06
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The average of monthly expenditures throughout the year was,		<u>\$6,625 66</u>
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The total cost of rations for the year ending 1850 for both prisons, with a daily average of 775 convicts throughout the year, was,		\$27,660 71
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The total cost of rations for the year ending 1851 for both prisons, with a daily average of 796 convicts throughout the year, was, 23,122 04

Balance in favor of 1851, with an excess of 21 convicts per day throughout the year, \$4,538 67

The average cost of each daily ration throughout the year in 1850, was 8 cents and $6\frac{1}{4}$ mills. The average cost of each daily ration throughout the year in 1851, was 7 cents and $7\frac{1}{2}$ mills.

STATEMENT

Exhibiting the total cost of Rations for the male prison, from the 1st of October, 1850, to the 30th of September, 1851.

1850.	Total cost of rations for October,	\$2,122 66
	“ “ “ November,	1,932 82
	“ “ “ December,	1,708 91
1851.	“ “ “ January,	1,673 17
	“ “ “ February,	1,569 51
	“ “ “ March,	1,581 46
	“ “ “ April,	1,555 31
	“ “ “ May,	1,613 86
	“ “ “ June,	1,470 93
	“ “ “ July,	1,719 79
	“ “ “ August,	2,151 36
	“ “ “ September,	1,921 10

Total cost of rations for the past fiscal year for male prison alone, \$21,020 88

The average number of male convicts throughout the year was 723.

The average cost of each ration per day, throughout the year, was $7\frac{1}{2}$ cents.

STATEMENT

Exhibiting the total cost of Rations for the female prison, from the 1st October, 1850, to the 30th September, 1851.

1850.	Total cost of rations for October,.....			\$184 38
	do	do	do	November,..... 174 75
	do	do	do	December, 178 47
1851.	do	do	do	January,..... 167 83
	do	do	do	February,..... 151 32
	do	do	do	March, 169 66
	do	do	do	April, 167 22
	do	do	do	May, 153 82
	do	do	do	June, 158 46
	do	do	do	July, 189 51
	do	do	do	August, 200 79
	do	do	do	September,..... 204 94

Total cost of rations for the past fiscal year, for the female prison alone,..... \$2,101 15

The average number of female convicts was during the year $73\frac{1}{2}$.

The average cost of each ration per day throughout the year was 7 cents $7\frac{3}{4}$ mills.

STATEMENT

Showing the total cost of Rations for both male and female prison for the past fiscal year, ending 30th September, 1851.

1850.	Total cost of rations for October,.....			\$2,307 40
	do	do	do	November,..... 2,107 57
	do	do	do	December,..... 1,887 38
1851.	do	do	do	January, 1,841 00
	do	do	do	February,..... 1,720 83
	do	do	do	March, 1,751 12
	do	do	do	April, 1,722 53

1851.	Total cost of rations for May,			1,767 69
	do	do	do June,.....	1,629 39
	do	do	do July,.....	1,909 30
	do	do	do August,.....	2,352 15
	do	do	do September,.....	2,126 04
				<hr/>
				\$23,122 04
				<hr/>

A CHRONOLOGICAL TABLE

Of the Convicts in Sing Sing Prison, from the 1st day of October, 1850, to the 30th day of September, 1851.

	October.	November.	December.	January.	February.	March.	April.	May.	June.	July.	August.	September.
1,.....	686	685	684	699	730	750	745	742	739	729	724	727
2,.....	686	686	684	699	730	750	744	741	737	730	732	727
3,.....	686	685	685	699	730	749	744	741	738	731	732	725
4,.....	685	685	685	699	729	748	743	741	736	730	731	724
5,.....	685	685	687	700	730	746	743	741	735	729	730	724
6,.....	685	685	688	699	732	746	743	740	735	729	732	724
7,.....	686	686	687	700	734	746	739	740	737	729	732	725
8,.....	693	686	687	700	734	746	739	741	737	727	731	724
9,.....	693	686	686	699	736	746	741	745	737	727	732	721
10,.....	689	686	688	701	738	748	741	746	734	725	732	721
11,.....	689	686	687	703	740	747	741	746	732	723	733	726
12,.....	688	686	687	703	741	748	739	745	730	726	733	726
13,.....	688	686	687	705	741	746	739	745	732	726	734	726
14,.....	685	687	687	707	742	745	739	745	731	725	735	725
15,.....	686	687	687	707	742	743	739	746	732	727	734	724
16,.....	686	688	686	708	743	743	741	747	729	728	735	728
17,.....	688	687	688	708	742	741	744	748	729	730	736	729
18,.....	687	687	683	708	744	743	741	748	731	732	735	726
19,.....	688	688	688	716	745	740	738	747	731	734	735	726
20,.....	688	688	688	722	746	743	738	746	731	734	733	729
21,.....	686	688	688	722	447	746	738	747	733	736	732	730
22,.....	686	680	688	722	747	746	738	746	734	736	732	730
23,.....	685	680	687	724	747	745	740	746	727	734	732	732

24,.....	687	693	698	723	748	746	736	740	726	734	732	732
25,.....	687	693	698	725	748	747	736	740	736	734	731	732
26,.....	686	693	698	727	748	746	740	740	728	734	730	732
27,.....	686	694	698	727	749	746	741	740	729	734	729	732
28,.....	685	696	698	727	750	746	741	740	726	734	726	732
29,.....	685	694	698	728	.....	746	742	740	726	734	726	732
30,.....	685	694	698	728	.....	746	742	740	728	734	728	732
31,.....	685	.....	698	728	.....	746	.....	739	.....	734	728	.....
Totals,.....	21,356	20,630	21,016	22,063	20,733	23,116	22,230	23,042	21,971	22,647	22,686	21,823

Average number per day, 723 26-365, Month, y average—October, 688 21-31; November, 688 2-30; December, 697 8-31; January, 711 22-31; February, 740 13-28; March, 745 20-31; April, 740 20-30; May, 743 9-31; June, 732 11-30; July, 730 17-31; August, 731 25-31; September, 727 17-30. Daily average of convicts, 723 26-365. Aggregate of monthly totals, 253,921.

A LIST of debts, &c., contracted by the late agent prior to the 1st of October, 1850, and since paid during the present fiscal year, consequently to be deducted from the item of expenditure of this prison to 30th September, 1851.

With whom contracted.	Nature of debt.	When contracted.	When paid.	Amount.
Israel Hoag,.....	Hay,	September, 1850, .	December, 1850,..	\$44 56
McCard & Smith,.....	Dry goods,.....	do	do	161 77
E. B. Spooner,.....	Advertising,	July, 1850,.....	do	10 50
Lee, Mann & Co.,.....	do	August, 1848,.....	do	17 10
Lee, Mann & Co.,.....	do	July, 1849,.....	do	10 50
R. A. Johnson,.....	Provisions,	September, 1850,..	do	516 50
Buffalo Commercial Advertiser,.....	Advertising,	July, do	do	10 50
William Lawrence,.....	Repairing clock,...	June, do	do	3 00
David Reed,	Lumber,	September, do	January, 1851,...	26 05
A. K. Hoffman,.....	Services,	do do	do .	3 00
Thomas Bailey,.....	Provisions,	do do	do	33 60
Stephen Cypher,.....	Straw,.....	do do	do	5 95
Sloop Comet and Oresmus,	Freight,.....	March, do	do	5 13
Knapp & Peck,.....	Advertising,	July, do	February, 1851, ..	8 53
Lockwood & Cobb,.....	Fees,	January, do	do do	30 00
David Reed,.....	Lumber,	August, do	March, do	46 04
Thomas Sarles,	Provisions,	September, do	do do	27 25
John Purdy,.....	do	June, do	do	8 40
W. D. & F. Vredenburg,.....	Furniture,.....	August, do	April do	48 82
Croswell & Shaw,.....	Advertising,	October, 1849,....	May, do	14 50
Henry E. Paulding,.....	Wool,.....	June, 1850,.....	June, 1851,...	37 13
Francis Larkin,.....	Fees,	do	do	50 00

[illegible]

SING SING PRISON, }
Oct. 31st, 1850. }

To the Inspectors of State Prisons:

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support, &c., of said prison during the month ending Oct. 31, 1850: 1850.

Oct. 1. Balance from last month's account brought forward, \$3,711 06

Cash received this month as follows:

31. Weave shop, Thomas Wetherby,
Oct. account, \$264 69
Lime contract, Henry A. Taylor,
Oct. account, 290 06
Cooper contract, Samuel Taylor,
Oct. account, 86 50

Stone shop and quarries.

8. J. Wilcox, bl'ksmith work, \$1 25
Peter Berrean, 50 tons
stone, 25 00
16. John J. Kane, stone on ac't,
charged P. McCard, ... 45 20
19. Capt. Tice, use of horse, &c. 4 38
Capt. , 2 tons stone, .. 1 00
21. Wm. P. Smith, monument
and boxing, 26 50
E. F. Grant, on ac't stone, 200 00
Capt. Tunnell, unloading
slate, 2 50
22. Capt. Berrian, fifty tons
stone, 25 00
23. Rodman & Co., 825 lbs. old
copper, &c. 132 00
J. F. Sinclair, stone, 11 00
31. T. J. Seixas, 50 tons stone, 25 00

498 83

Provisions.

Oct. 23.	Mr. Shadyne, empty flour		
	bbls.....	2 00	
31.	J. Lister, bones,.....	4 29	
		<hr/>	6 29

Convicts.

5.	James Galligher, convict		
	deposit,.....	1 00	
23.	Jean F. Hersennes, convict		
	deposit,.....	2 00	
		<hr/>	3 00

Visitors.

Sundry visitors this month,.....	32 37	
	<hr/>	1,181 74
		<hr/>
		\$4,892 80
		<hr/>
		<hr/>

Cash expended this month:

1850.

Oct. Vou. Officers.

1.	1.	Paid sundry officers, per pay		
		roll Sept.,.....	\$1,892 19	
19.	14.	Paid G. G. Leach, 16 days as		
		keeper, April, 1850,.....	24 00	
			<hr/>	1,916 19

Guard.

2.	Paid sundry guard, per pay roll		
	Sept.,.....		986 25

Provisions.

10.	8.	Paid Williamson & Vail, rye flour,	\$171 00	
11.	10.	" C. Halstead, "	29 00	
17.	13.	" Bloer & Marsh, beans,.....	64 15	
24.	16.	" John V. Tompkins, potatoes,	43 20	
			<hr/>	307 35

Building and repairs.

2.	3.	Paid E. & J. Bussing & Co., nails,	65 50	
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Oil and fuel.

12.	11.	Paid Elijah H. Brower, wood,..	16 00	
-----	-----	--------------------------------	-------	--

Oct. Vou. *Stone shop and quarries.*

5. 5. Paid Gabriel Tompkins, oxen,.. 100 00

Furniture

30. 19. Paid Thomas E. Allen & Son,
brooms,..... 12 00

Convicts' deposits.

10.	7.	Paid Geo. Young, conv't deposit,	15	
11.	9.	" Chas. Conner, "	1	12
15.	12.	" Rosanna Divine, "	50	
22.	15.	" Eliza Berger, "	1	00
			<hr/>	2 77

Lunatic Convicts.

26. 20. Paid C. W. Christie, expenses to
Utica Asylum,..... 33 00

Incidental expenses.

4.	4.	Paid James Lusk, damages by blasting,	8	68
5.	6.	Paid Caleb Roscoe, adv. convict labor,	19	00
26.	17.	Paid J. W. Thompkins, exp. to Auburn, McM. & Co.,.....	24	10
			<hr/>	51 78

Discharged convicts.

31. 18. Paid 27 discharged convicts this
month,..... 130 58

\$3,621 42

Balance in agent's hands brought forward,.... \$1,271 38

STATE OF NEW-YORK, }
West Chester county, } ss.

Alfred R. Booth, agent, and James C. Hale, clerk of the Sing Sing prison, being duly sworn, depose and say, that the foregoing account is correct and true, according to the best of their knowledge and belief.

ALFRED R. BOOTH,
JAMES C. HALE.

Sworn and subscribed before me, }
this 12th day of Nov. 1851. }

JOAKIM ULMY, *Justice of the Peace.*

SING SING PRISON, }
Nov. 20th, 1850. }

To the Inspectors of State Prisons :

The agent respectfully reports that the following is a true state
ment of the monies received and expended for the general sup-
port, &c., of said prison, from the 1st to the 20th of November
instant :

1850.

Nov. 1 Balance from last month's account brought
forward,..... \$1,271 38

Cash received this month as follows :

Hat shop.

2 Charles Watson, Oct. ac-
count..... \$1,353 31

Saddlery Hardware.

Jos. J. Lewis, Oct. account 861 10

Weave shops.

4 Hotchkiss & Smith, Oct.
account..... \$499 10
James Johnson, Oct. ac-
count..... 268 09
12 John Humphries, Oct. ac-
count,..... 67 70
834 89

File shop.

James Horner & Co., file
cutters, Oct. account.. 643 19
James Horner & Co., bill,
female cutters, Oct. ac-
count..... 111 25
754 44

Cabinet shop.

13 Charles H. Woodruff, ca-
binet makers, Oct. ac-
count, 240 85

Stone shop and quarries.

Nov. 4	John Magee, use of horse unloading coal,.....	8 00	
13	Charles Hammee, stone,.	1 00	
14	Capt. Parker, use of horse unloading coal,.....	3 50	
18	Henry Baker, stone horse block,	3 00	
	E. F. Grant, bill of stone cutters,	67 33	
		<hr/>	82 83

Provisions.

11	Jos. Lister, bones.....	4 18	
14	William Auser, 2 molas- ses hhd.,	1 00	
	Mr. Sniffin, 1 pork bbl.,.	63	
		<hr/>	5 81

Convict's deposits.

19	Samuel Teerpenning, con- vict deposite,	2 25	4,135 48
		<hr/>	<hr/>
			\$5,406 86
			<hr/>

Cash expended this month as follows :

1850.

Officers.

Nov. Vouch.

1	1. Paid sundry officers this month, pay roll October,	\$1,907 86
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Guards.

2.	Paid sundry guards this month, pay roll October,	1,021 00
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Provisions.

9	7. Paid W. & H. A. Hughson, flour and meal,	\$474 75
	8. " S. Paten, 4 quarts yeast	25
14	15. " J. Willsie, rye flour	76 50

Nov. Vouch.

19	22.	Paid Williamson & Vail, rye flour.	91	56	
	25.	George F. Bowne, cod fish,.....	151	50	
					794 56

Hospital stores.

18	21.	Paid J. Horner & Co., ice from June to October,.....			26 62
----	-----	---	--	--	-------

Building and repairs.

1	3.	Paid James Ludlow, agt. Co. S. L. N., land lime,.....	24	24	
18	21.	" J. Horner & Co., files, &c.,...	52	38	
	23.	" E. F. Grant, cement and tim- ber,.....	36	30	
					112 92

Oil and fuel.

4	5.	Paid John Magee, ft. on 184½ ton coal,.....	230	62	
7	6.	" Peter Denny, 71 bbls char- coal,.....	27	63	
14	12.	" Joseph Parker, ft. on 60 tons coal,.....	78	00	
18	21.	" J. Horner & Co., coal and cin- ders,.....	5	00	
					341 25

Stone shop and quarries.

9	7.	Paid W. & H. A. Hughson, feed,.	100	00	
18	23.	" E. F. Grant, wheelbarrows, rope, &c.,.....	31	03	
					131 03

Furniture.

12	13.	Paid J. Brown, ft. on cast iron bed- steads,.....	8	48	
	24.	" J. Horner, table spoons, &c.,	26	00	
					34 43

Lunatic convicts.

12	4.	Paid Robert Lent, exp. transpt. lunatic convict to asylum,.....			24 75
----	----	--	--	--	-------

Nov. Vouch.

Incidental expenses.

12	9.	Paid Francis Larkin, witness fees, &c.,	133 44	
	10.	" Seth Haight, adv. seal and proposals,	10 50	
	11.	" Brown & Rowe, adv. convict labor,	9 70	
	14.	" Enoch Davis, adv. convict labor,	12 30	
15	16.	" Ten Eyck & Co., adv. notice to slaters,	1 35	
16	17.	" A. G. Roos, expenses pursu- ing escaped convict,	2 00	
	18.	" Francis Larkin, sub. afft. as J. P.,	7 58	
18	20.	" Mumson J. Lockwood, as ap- praiser St. prs.,	39 00	
	21.	" J. Horner & Co., damage to files by water, &c.	170 44	
			<hr/>	386 31

Discharged convicts.

17	19.	Paid Maria Murphy, discharged convict,	4 00	
18	26.	" two discharged convicts this month,	13 36	
			<hr/>	17 36

\$4,798 14Balance in agent's hands brought forward..... \$608 72STATE OF NEW-YORK, }
Westchester county, } ss.

Alfred R. Booth, agent; and James C. Hale, clerk, of the Sing Sing prison, being duly sworn, depose and say that the foregoing account of correct and true according to the best of their knowledge and belief.

Sworn and subscribed before me, } ALFRED R. BOOTH,
this 25th day of Nov., 1850, } JAMES C. HALE.

JOAKIM URMY, *Justice of the Peace.*

SING SING PRISON, {
Nov. 30, 1850. }

To the Inspectors of State Prisons:

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support, &c., of said prison, from the 20th to the 30th of November, 1850.

1850.

Nov. 20. Balance to date brought forward,.....

\$608 72

Cash received this month as follows:

Stone shop and quarries.

21. Captain Bowing, use of

horse, &c.,..... \$8 00

25. Charles Gilbert, stone, 26 76

27. Capt. Fleming, use of

horse, &c.,..... 3 75

38 51

Convicts' deposits.

23. Augustus Nichols, con-

victs' deposit,..... \$3 00

Jason Atwood,..... 25

3 25

Visitors.

30. Sundry visitors this month,..

25 50

67 26

\$675 98

Cash expended this month as follows:

Vou.

Provisions.

22. 29. Paid J. Willsie, rye, &c., 24 76

30. 36. " Peter O'lell, fresh

meat, 29 00

53 76

Building and repairs.

27. 32. Paid Ephraim Colleigh,

freight on timber,....

10 00

Vou. Oil and fuel.

Nov. 23. 30. Paid J. F. Fay freight
on cask of camphene, 0 40

Convict's deposits.

20. 27. Paid James Kemp, cov-
vict deposit,..... 7 00

Incidental expenses.

25. 31. Paid James T. Collyer,
appraising State prop-
erty,.... 39 00

28. 35. Paid R. U. Robinson, man-
ager, &c., horse and
carriage 4 00

43 00

Discharged convicts.

21. 28. Paid James Boyd, dis-
charged convict, 4 00

27. 33. Michael Power, dischar-
ged convict,..... 4 00

28. 34. John J. Ingersoll, dis-
charged convict, 4 00

12 00

\$126 16

Balance in agent's hands bro't forward, \$549 82

TATE OF NEW-YORK, }
Westchester county, } ss.

Munson J. Lockwood, agent, and James C. Hale, clerk of the Sing Sing Prison, being duly sworn, depose and say, that the foregoing account is correct and true, according to the best of their knowledge and belief.

MUNSON J. LOCKWOOD,
JAMES C. HALE.

Sworn and subscribed before me }
this 11th day of Dec. 1850. }

JOAKIM URMY, *Justice of the Peace.*

SING SING PRISON, }
December, 1850. }

To the Inspectors of State Prisons :

The agent respectfully reports that the following is a true statement of the monies received and expended, for the general support, &c. of said prison, during the month ending Dec. 31, 1850.

1850.

Dec. 1. Balance from last month's account brought forward, \$549 82

Cash received this month as follows :

Hat shop.

2. Charles Watson, Nov. acc't, . . \$1,226 16

Saddlery hardware.

J. J. Lewis, Nov. acc't, 822 89

File shop.

James Horner & Co. Nov. ac't, . . 654 13

Weave hops.

3. Hotchkiss & Smith, Nov. account, \$502 92

4. Jas. Johnstone, Nov. account, 274 28

Thomas Weatherby, Nov. account, . . . 246 65

6. John Humphries, Nov. account, . . . 49 55

1,073 40

Lime contract.

4. Henry A. Taylor, Nov. ac't, . . 253 51

Cooper contract.

Samuel Taylor, Nov. ac't, . . . 65 50

Cabinet contract.

Chas. H. Woodruff, Nov. ac't, . . 269 42

Stone Shop and Quarries.

1850.

Dec. 3.	Philip Sleight, monument,	\$52 18	
	7. O. Washburn, stone,	4 07	
	18. Capt'n Teal, use of man & horse,	8 00	
	21. Capt'n Lynch, use of man & horse,	10 00	
	23. Capt'n Stone, 2 tons of stone,	1 00	
		<hr/>	75 25

Provisions.

	3. Joseph Lister, bones,	7 37	
	28. Jeremiah Sniffen, 1 hogshead,	75	
		<hr/>	8 12

House and farm.

	J. Humphries, rent,	20 00	
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Clothing.

	Joseph Bower, wool,	206 85	
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Convicts' deposits.

	5. Cornelius B. Low, convict deposit,	25	
	6. James Barker, convict deposit,	75	

Visitors.

	31. Sundry visitors this month,	8 25	
		<hr/>	4,684 48

\$5,234 30

Cash expended this month as follows :

1850.

Officers.

Dec. Vouch.

1	1. Paid sundry officers, per pay roll November acc't,	\$1,949 35
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Guard.

1850.

Dec. Vouch.

1	2. Paid sundry guards, per pay roll, November,	981 00
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Provisions.

5	4. Paid Isaac Woolsey, potatoes and turnips,	\$106 63	
9	12. " Samuel McCard, beef, . .	192 40	
	14. " G. W. Lynch, potatoes, .	35 00	
12	17. " James Brown, turnips, .	33 90	
	18. " R. H. Johnson, beef and pork,	1,029 88	
		<hr/>	1,397 81

Hospital stores.

9	11. Paid Jno. Romer & Co. flour,	420 80
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Clothing.

5	8. Paid McCard & Smith, muslins, &c.	185 42
---	--	--------

Buildings and repairs.

4	3. Paid David Gardner, land lime,	15 21
---	---	-------

Furniture.

19	20. Paid William Lawrence, clock, &c.	13 00
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Stone shops and quarries.

5	5. Paid Clark & Burrhus, feed, .	18 00	
	7. Israel G. Hoag, hay, . . .	44 56	
9	13. Rob't G. Mead, 1 yoke oxen,	115 00	
25.	21. John Wright, straw,	4 28	
		<hr/>	181 84

Incidental expenses.

5	6. Paid David Ludlum, appraising State property, . . .	39 00
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1850.

Dec. Vouch.

6	9.	Paid A. G. Levy, advertising, &c.,.....	\$2 75	
9	10.	" E. B. Spooner, adverti- sing, &c.....	10 50	
11	15.	" Lee, Mann & Co. adver- tising, &c.....	17 10	
	16.	" Lee, Mann & Co. adver- tising, &c.....	10 50	
	19.	" E. R. Jewett, adverti- sing, &c.....	10 50	
			<hr/>	90 38

Discharged convicts.

31	12.	Paid 7 discharged convicts this month,	40 64
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\$5,275 42

By balance due agent,	<hr/> \$41 12 <hr/>
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STATE OF NEW-YORK, }
Westchester county, } ss.

Munson J. Lockwood, agent, and James C. Hale, clerk, of the Sing Sing prison, being duly sworn, depose and say that the foregoing account is correct and true according to the best of their knowledge and belief.

MUNSON J. LOCKWOOD,
JAMES C. HALE.

Sworn and subscribed before me, {
this 14th day of January, 1851, }

JOAKIM URMY, *Justice of the Peace.*

SING SING PRISON, }
January, 1851. }

To the Inspectors of State Prisons :

The agent respectfully reports that the following is a true statement of the moneys received and expended for the general support of said prison, from the 1st to the 31st January, 1851 :

Cash received this month, as follows:

1851.	<i>Hat shop.</i>	
Jan. 2.	Charles ^W Watson, Dec. acc't., .	\$1,234 43
	<i>Saddlery hardware.</i>	
	J. J. Lewis, Dec. acc't,.....	822 32
	<i>File shop.</i>	
	James Horner & Co., Dec.	
	account,.....	640 15
	<i>Lime contract.</i>	
4.	Henry A. Taylor, Dec. acc't,	249 25
	<i>Cooper contracts.</i>	
	Samuel Taylor, Dec. acc't, ..	74 25
	<i>Weave shops.</i>	
	Hotchkiss and Smith, Dec. ac-	
	count, \$553 93	
	James Johnstone, Dec.	
	account 347 85	
9.	G. Griffith, Dec.'acc't,	87 95
29.	T. Weatherby, Dec.	
	account, 239 69	
		<u>1,229 42</u>
	<i>Cabinet shop.</i>	
6.	Charles H. Woodruff, Dec.	
	account,.....	286 18
	<i>Stone shop and quarries.</i>	
6.	A. Buckhout, stone, \$18 31	
21.	Edward B. Lane, one	
	yoke of oxen,..... 90 00	
	Sol'mon Ackers,stone, 3 00	
23.	Hudson River R. R.	
	Co., convict labor, 244 85	

Hudson River R. R.		
Co., building sewer,	300 00	
Nov. 29. J. & L. Tuckerman,		
stone,	179 81	
Thomas Smull, stone,	50 00	
	<hr/>	885 97

Provisions.

6. Joseph Lister, bones,..	\$8 14	
9. Mrs. Grace Wicks, swill,		
Oct., Nov. and Dec.,	57 26	
23. Joseph Horton, 2 pro-		
vision bbls,	1 00	
25. Joseph Lister, bones,..	8 00	
	<hr/>	74 40

Oil and fuel.

25. Peter Denney, error in bill,		
Nov., vou. 6,	1 00	

Convicts' deposits.

16. John H. Pitman, \$1.00, Jas.		
Johnson, 12c,	1 12	

Discharged convicts.

25. A. R. Booth, error in February		
account, 1849,	20	

Visitors.

Sundry visitors this month,..	18 75	
	<hr/>	\$5517 44

Cash expended this month as follows :

Balance due agent last month,	41 12	
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1851.

Officers.

Jan. Vou.

1. 1. Paid sundry officers, per pay		
roll, December,	\$1,949 35	

Guard.

2. Paid sundry guard, per pay		
roll, December,	1,032 00	
4. 7. Paid W. Clark, a guard, per		
J. C. Yoe,	17 00	
	<hr/>	1,049 00

1851.
Jan. Vou.

Provisions.

3.	4.	Paid John Brown, potatoes and turnips,	\$7 19	
6.	9.	Paid Thos. Bailey, fresh beef,	59 48	
10.	"	James Lusk, turnips,...	19 65	
11.	"	Isaac W. Moseman, do,.	15 37	
15.	19.	" Haight and Van Liew, beans,	182 75	
17.	20.	Paid Stephen Cypher, turnips,	8 02	
18.	23.	" M. Vassar & Co., freight on flour bbls.,	5 13	
25.	31.	Paid E. Cobleigh, 300 bush of onions,	124 00	
			<hr/>	421 59

Hospital stores.

9.	16.	Paid Mrs. Grace Wicks, one cow,	22 50	
16.	22.	Paid George Tieman, sharpening lancets,	75	
31.	32.	Paid Hudson River R. R. Co., freight on drugs,	40	
			<hr/>	23 65

Clothing.

8.	15.	Paid J. Pinkham & Co., leather and awls, &c.,	47 10	
27.	30.	Paid Haganan and Dolittle, neats foot oil,	2 25	
31.	32.	Paid Hudson River R. R. Co., freight on wool,	1 90	
			<hr/>	51 25

Building and repairs.

2.	3.	Paid David Gardner, agent, &c., lime,	9 87	
3.	6.	Paid David Reed, lumber, &c.,	55 38	
			<hr/>	65 25

Furniture.

6.	12.	Paid Charles H. Woodruff, bill sundries,	19 75	
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1851.			
Jan. Vou.	<i>Lunatic convicts.</i>		
6.	8. Paid A. K. Hoffman, examina- tion and certificate,	\$6 00	
	<i>Oil and fuel.</i>		
31.	32. Paid Hudson River R. R. Co., freight on camphene,	1 65	
	<i>Stone shop and quarries.</i>		
9.	16. Paid Mrs. Grace Wicks, wood for handles,	10 00	
17.	20. Paid Stephen Cypher, straw,	5 95	
16.	21. " Aaron Ward, hay,	18 87	
21.	24. " Edwd. Orser, straw,	7 84	
21.	25. " P. Youmans, "	6 45	
25.	29. " Corn'us Youmans, straw,	5 30	
		<hr/>	54 41
	<i>Incidental expenses.</i>		
3.	5. Paid John Flack, expenses pursuing escaped convict,	1 50	
8.	13. Paid H. Jones, drawing paper,	19	
	15. " Thorn Many, expenses pursuing escaped convict,	4 25	
11.	17. Paid A. G. Levy, advertising, &c.,	7 50	
14.	18. Paid Mary Weatherspoon, da- mages by blasting,	3 75	
21.	26. Paid E. S. Sutherland, adver- tising, &c.,	9 30	
	27. Paid E. B. Lane, defining boundaries and surveying State farm,	25 00	
17.	28. Paid Gardner Van Wyck, tak- ing affidavit,	13	
		<hr/>	51 62
	<i>Discharged convicts.</i>		
31.	33. Paid 5 discharged convicts, this month,		20 80
			<hr/>
			<hr/>
			\$3,755 44
	Balance in agent's hands bro't forward,	\$1,762 00	

STATE OF NEW-YORK, }
Westchester county, } ss.

Munson J. Lockwood, agent, and James C. Hale, clerk, of the Sing Sing Prison, being duly sworn, depose and say that the foregoing account is correct and true, to the best of their knowledge and belief.

MUNSON J. LOCKWOOD.
JAMES C. HALE.

Sworn and subscribed before me, }
this 17th day of February, 1851. }

JOAKIM URMY, *Justice of the Peace.*

SING SING PRISON, }
February, 1851. }

To the Inspectors of State Prisons:

The agent respectfully reports that the following is a true statement of the moneys received and expended for the general support, &c., of said prison for the month of February, 1851 :

1851	Cash received this month as follows :	
Feb. 1.	Balance from last month's account brought forward,	\$1,762 00
	<i>Hat shop.</i>	
	Charles Watson, January acct.,	\$1,491 62
	<i>Saddlery hardware.</i>	
	J. J. Lewis, January acc't.,...	908 67
	<i>File shop.</i>	
	J. Horner & Co., Jan. acc't,..	685 95
	<i>Lime contract.</i>	
	Henry A. Taylor, Jan. acc't,..	250 08
	<i>Cooper contract.</i>	
	Samuel Taylor, Jan. acc't,...	79 00
	<i>Weave shop.</i>	
4.	Hotchkiss & Smith,	\$614 96
	Thos. Weatherby,.	267 78
	James Johnston,...	361 65
	S. Griffen,.....	51 20
		1,295 59

Cabinet shop.

Chas. H. Woodruff, Jan. acc't, \$302 03

Stone shop and quarries.

8. O. Washburn, stone,	\$22 02	
25. S. & S. Seixas, 50		
tons stone,	25 00	
R. R. Voris, settle-		
ment on judg't, .	75 00	
	<hr/>	122 02

Provisions.

18. J. Lister, bones, ..	\$8 91	
25. Wm. Bloom, 1 mo-		
lasses hhd.,	75	
	<hr/>	.9 66

Convicts' deposits.

10. Dennis McCarthy, convict de-		
posit,		1 58

House and farm.

John Humphries, rent,	40 00
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United States convicts.

U. S. marshal, support of	
convicts,	497 00

Visitors.

Sundry visitors this month, . . .	16 25
	<hr/>

5,699 45

\$7,461 45**Cash expended this month as follows:**

1851.

Officers.

Feb. Vouch.

1.	1. Paid sundry officers per	
	pay roll Jan'y,	\$1,949 35

Guards.

1.	2. Paid sundry guards per	
	pay roll Jan'y,	970 75

Provisions.

7	6. Paid Peter Odell, fresh	
	beef,	26 40

Feb. Vouch.

	8.	Paid Clark & Burrhus, In- dian meal,	\$15 00	
	10.	Paid Davis & Washburn, Indian meal,	4 69	
10.	14.	Paid William Vail, beans and potatoes,	12 33	
13.	18.	Paid R. & H. Johnson, beef and pork,	958 00	
19.	25.	Paid Hudson R. R. R. Co., fr't on herring,	6 20	
22.	28.	Paid Haight & Van Liew, herring,	154 99	
25.	30.	Paid Michael Drury, peas,	286 13	
			<hr/>	\$1,463 74

Hospital stores.

7.	7.	Paid William Pugsley, beef and mutton,	8 77	
	9.	Paid Isaac Tompkins, milk,	6 95	
	10.	Paid Davis & Washburn, flour,	51 25	
19.	25.	Paid Hudson river R. R. Co., ft. on tobacco, &c. .	1 25	
22.	28.	Paid Haight & Van Liew, sugar, &c.,	84 56	
			<hr/>	152 78

Clothing.

4.	5.	Paid Hudson river R. R. Co., ft. on yarn, &c. . . .	4 36	
13.	17.	Paid Chambers & Ward, 1 ball filling, &c.,	100 09	
19.	25.	Paid Hudson river R. R. ft. on warp, &c.,	1 36	
20.	26.	Paid J. Pinkham & Co., thread, &c.,	12 73	
			<hr/>	118 54

Building and repairs.

1.	4.	Paid James Horner & Co., window glass,.....	95 75
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Furniture.

1.	3.	Paid Charles H. Woodruff, lounge, &c.,.....	12 00
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Oil and fuel.

4.	5.	Paid Hudson river R. R. Co., ft. 3 bls. camphene,	1 11	
19.	25.	Paid do 1 do.,	38	
22.	28.	Paid Haight & Van Liew, sperm oil,.....	107 94	
			<hr/>	109 43

Stone shop and quarries.

7.	8.	Paid Clark & Burrhus, feed,	36 00
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Convicts' deposits.

8.	13.	Paid William Fisher, a convict,	25	
15.	22.	Paid Henry Attwood, a convict,	1 00	
26.	31.	Paid Martin Herrick, a convict,	15 12	
			<hr/>	16 37

Postage and stationery.

7.	12.	Paid James W. Robinson, postage,...	20 24
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Incidental expenses.

8	8.	Paid Knapp & Peck, adver- tising proposals,.....	\$8 53	
10.	15.	Paid Johnson & Davis, ad- vertising proposals,....	7 60	
7.	16.	Paid Lockwood & Cobb, advertising costs, &c.,..	134 00	
14.	19.	Paid Bryan & Moore, ad- vertising proposal, ...	6 78	
	20.	Paid S. Haight, advertis- ing proposals,	7 35	

Feb. Vou

15.	21.	Paid Brown & Rowel, ad- vertising proposals,....	\$9 58	
16.	23.	Paid S. S. Riggs, adverti- sing proposals,.....	6 86	
17	24.	Paid Robt. R. Oakley, copy affidavit and papers,&c.,	3 00	
21.	27.	Paid Peter Davids, agent, extra freight on Inspeo- tors' report,.....	6 50	
			<hr/>	190 20

United States' convicts.

25.	29.	Paid H. F. Talmadge, fine for eo. Jacobs, U. S. c.,.....		1 00
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Discharged convicts.

28.	32.	Paid 10 discharged conv'ts this month,		61 47
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			<hr/>	\$5,197 62
			<hr/>	
		Balance in agent's hands brought forward,.....		\$2,263 88
			<hr/>	

STATE OF NEW-YORK, }
Westchester County, } ss.

Munson J. Lockwood, agent, and James C. Hale, clerk of the Sing Sing prison, being duly sworn, depose and say that the foregoing account is correct and true according to the best of their knowledge and belief.

MUNSON J. LOCKWOOD.
JAMES C. HALE.

Sworn and subscribed before me, {
this 20th day of March, 1851. }
JOAKIM URMY, *Justice of the Peace.*

SING SING PRISON, }
March, 1851. }

To the Inspectors of State Prisons :

The agent respectfully reports that the following is a true statement of the moneys received and expended for the general support, &c. of said prison, for the month ending 31st March, 1851:

1851. To cash received this month as follows :

March 1. Balance from last month's account bro't

forward, \$2,263 83

Hat shop.

Charles Watson, Feb. acc't,. \$1,444 69

Saddlery hardware.

J. J. Lewis, Feb. account, .. 944 43

Weave shops.

James Johnston, .. \$500 89

Hotchkiss & Smith, 579 47

Thos. Weatherby,. 259 17

————— 1,339 53

Cabinet shop.

Chas. H. Woodruff, Feb. acc't, 309 49

Lime shop.

Henry A. Taylor, Feb. acc't, 245 94

Cooper shop.

Samuel Taylor, Feb. account, 78 00

File shop.

James Horner & Co., Feb.

account, 691 05

Stone shop and quarries.

6. Capt. Haines, 15 ton

stone, \$7 50

10. G. B. Tompkins, 1

yoke of oxen, ... 100 00

March 20. Capt. Kirk, use of		
horse,	\$4 87	
21. Seth Bird, stone, ..	23 77	
27. Capt. Atkins, 50 ton		
stone,	25 00	
27. Capt. Weeks, stone,	5 00	
	<hr/>	165 64

Provisions.

17. Mrs. Grace Weeks,		
swill, Jan. & Feb.,	\$24 25	
29. Jos. Lister, bones, ..	7 03	
31. Fred'k. Fortmeyer,		
soap, grease, &c.,	606 95	
	<hr/>	638 23

Clothing.

19. Mrs. Watkins, lot of rags, ..	19 73
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Visitors.

Sundry visitors this month, ..	19 30	
	<hr/>	5,896 03
		<hr/>
		\$8,159 86
		<hr/>

1851. Cash expended this month as follows:

Officers.

Mar.	Von.		
1.	1	Paid sundry officers per pay roll, Feb.,	\$1,949 09

Guards.

2	Paid sundry guards per pay roll, Feb.,	976 00
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Provisions.

4.	4	Paid Sam. McCord, fresh	
		beef,	\$126 60
5.	8	" D. A. Griffin, fresh	
		beef,	23 40
5.	10	" Thos. Sarles, potatoes,	136 85
5.	9	" G. W. Sarles, "	47 75
8.	13	" Chenery & Johnson,	
		beef and pork,	1,490 00

Mar. Vou.

8.	15	Paid Laird & Van Liew, herrings,.....	\$38 25	
10.	17	" G. B. Tompkins, fresh beef,	47 75	
15.	18	" Laird & Van Liew, hops,.....	95 78	
20.	19	" John Purdy, turnips,	8 40	
18.	20	" Laird & Van Liew, rice, &c.,.....	127 35	
31.	24	" Fred'k. Fortmeyer, soap,	573 00	
31.	26	" Laird & Van Liew, storage,.....	37 75	
31.	28	" John Vail, rye,.....	19 50	
			<hr/>	2,772 38

Hospital stores.

10.	17	Paid G. B. Tompkins, fresh beef,		4 74
-----	----	---------------------------------------	--	------

Clothing.

5.	11	Paid H. Hotchkiss, freight on yarn,	1 38	
8.	14	Paid Chalmers & Ward, yarn,	137 64	
			<hr/>	139 02

Building and repairs.

4.	3	Paid David Reed, lumber,.	\$46 04	
31.	25	" Croton & Sparta, L. & C. co. lime,.....	20 43	
			<hr/>	66 47

Furniture.

5.	6	Paid Porter & Fairchild, brushes,....		32 50
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Oil and fuel.

5.	8	Paid David A. Griffin, wood,.....		31 82
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Postage and stationery.

25.	22	Paid Joseph Gillett, pens,.....		2 00
-----	----	---------------------------------	--	------

Stone shop and quarries.

Mar.	Vou.			
4.	5	Paid Edw'd Bouton, straw,	\$12 00	
22.	21	" S. R. Tripp, 1 yoke oxen,.....	125 00	
28.	23	" E. F. Hanbold, powder,.....	250 00	
			<u>387 00</u>	

Convicts' deposits.

5.	7	Paid Thos. Gains, convicts' deposits,.....	35 75	
25.	27	" J. B. Lord, convicts' deposits,.	16	
			<u>35 91</u>	

Incidental expenses.

6.	12	Paid John W. Woolsey, services, &c.,.....	7 00	
10.	16	" J. P. Jenkins, drawing contract, &c.,.....	5 00	
			<u>12 00</u>	

Discharged convicts.

31.	29	Paid 27 discharged convicts this month,	114 54	
			<u>\$6,523 47</u>	
		Balance in agent's hands brought forward,.....	<u>\$1,636 39</u>	

STATE OF NEW-YORK, }
Westchester County. } ss.
Munson J. Lockwood, agent, and James C. Hale, clerk of the Sing Sing prison, being duly sworn, depose and say that the foregoing account is correct and true according to the best of their knowledge and belief.

MUNSON J. LOCKWOOD.
JAMES C. HALE.

Sworn and subscribed before me, }
this 16th day of April, 1851. }
JOAKIM URMY, Justice of the Peace.

SING SING PRISON, }
April, 1851. }

To the Inspectors of State Prisons:

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support, &c., of said prison, for the month ending 30th April, 1851.

1851. To cash received this month as follows :

April 1. Balance from last month's account brought forward,		\$1,636 39
<i>Hat shop.</i>		
3 Charles Watson, March account,		\$1,635 69
<i>Saddlery hardware.</i>		
J. J. Lewis, March account,		1,020 47
<i>File shop.</i>		
James Horner & Co., March account,		768 55
<i>Weave shops.</i>		
James Johnson,	\$621 36	
Hotchkiss & Smith...	637 08	
Thos. Weatherby,	280 48	
		<hr/> 1,538 92
<i>Cabinet shop.</i>		
Chas. H. Woodruff, March account,		332 42
<i>Lime shop.</i>		
Henry A. Taylor, March account,		423 79
<i>Cooper shop.</i>		
Samuel Taylor, March account,		81 50
<i>House and farm.</i>		
John Humphries, rent,	17 50	
26 do do	50 00	
		<hr/> 67 50

Stone shop and quarries.

April 5 S. & J. Isaacs, 50 tons		
stone,.....	25 00	
Capt. Helmes, use of		
horse, &c	5 51	
11 E. Van Wart, 1 stone,.	1 00	
12 W. D. & F. Vreedenburg, iron and stone,	171 81	
15 Mr. Scott, 2 kegs powder,	5 00	
22 S. E. Buckingham, one		
stone,.....	2 00	
23 Ludlum & Smith, do..	10 94	
	<hr/>	221 26

Provisions.

3 Mrs. Grace Wicks,		
swill,.....	11 38	
10 A. S. Briggs, 21 molasses hhd's,.....	13 00	
	<hr/>	24 38

Convicts' deposits.

17 Henry Smith, convict		
deposit,.....	25	
26 John Karnen,.....	56	
	<hr/>	81

Visitors.

30 Sundry visitors this		
month,	26 75	6,142 04
	<hr/>	<hr/>
		\$7,778 43
		<hr/>

1851. Cash expended this month as follows:
Apl. Vou.

Officers.

1 1 Paid sundry officers, per pay		
roll, March,.....	\$1,995 18	
24 Paid Elias Carle, services substitute keeper, Ap.....	14 00	
	<hr/>	\$2,209 18

Guard.

Apr. Vou.

2	Paid sundry guard per pay roll, March,	\$966 50
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Provisions.

3	3 Paid E. L. Porter, potatoes,....	\$5 00	
3	4 Paid Moses Hale, do.....	190 00	
8	8 Paid Chenery & Johnston, beef and pork,.....	580 00	
9	9 Paid W. & H. A. Hughson, meal,	515 63	
26	20 Paid Saml. McCord, fresh beef,	513 10	
30	23 Paid Laird & Van Liew, molasses,	183 59	
		<hr/>	1,987 32

Hospital stores.

3	6 Paid Davis & Washburn, flour,.	67 63	
30	21 Paid Henry G. Nelson, cow,....	32 50	
		<hr/>	100 13

Clothing.

21	17 Paid M. Marclay, fr. agent,....		3 97
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Oil and fuel.

21	17 Paid M. Marclay, fret. agent, ft.	76	
26	20 Paid Saml. McCord, wood,.....	64 75	
		<hr/>	65 51

Furniture.

3	5 Paid J. Green, maps,.....	5 00	
12	12 Paid W. D. & F. Vreedenburg, stone, &c.,.....	341 62	
		<hr/>	346 62

Postage and stationery.

21	16 Paid James W. Robinson, postage		27 62
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Stone shop and quarries.

9	9 Paid W. & H. A. Hughson, feed,	158 13	
26	20 Paid Saml. McCord, cart, ton- age, &c.,.....	5 25	
		<hr/>	163 38

Convicts' deposits.

Apr.	Vou.			
7	7	Paid John Taylor, convict dept.	4 56	
10	10	Paid Isaac Vanderhoof, do,...	50	
12	11	Paid John Brown, do, ...	7 62	
18	15	Paid Dennis Bower, do,...	2 49	
24	19	Paid Mary Wood, do,...	2 00	
			<hr/>	17 17

Incidental Expenses.

15	13	Paid Greeley & McElrath, ad- vertising, &c.....	9 30	
	14	Paid A. G. Levy, printing hand bills, &c.....	2 00	
21	18	Paid Robert Lent, expenses to court, &c.....	16 50	
12	22	Paid Lockwood & Cobb, witness fees, &c.....	105 50	
			<hr/>	133 30

Discharged convicts.

30	25	Paid 29 discharged convicts this month,	129 66
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\$5,950 36

Balance in agent's hands, brought forward,.....\$1,828 07

STATE OF NEW YORK, }
Westchester county, } ss.

Munson J. Lockwood, agent, and James C. Hale, clerk of the Sing Sing prison, being duly sworn, depose and say that the foregoing account is correct and true according to the best of their knowledgs and belief.

MUNSON J. LOCKWOOD,
JAMES C. HALE.

Sworn and subscribed before me, }
this 16th day of May, 1851, }
JOAKIM URMY, Justice of the Peace.

SING SING PRISON, {
June 1, 1851. }

To the Inspectors of State Prisons:

The agent respectfully reports that the following is a true statement of the monies received and expended for the general use, &c., of the said prison during the month ending 31st May, 1851:

1851.

May 1. To cash received this month as follows:

To } balance from last month's account brought
forward, \$1,828 07

Hat shop.

3. Charles Watson, April ac't, 1,627 35

Saddlery hardware.

J. J. Lewis, April a'ct, ... 1,027 27

File shop.

James Horner & Co., April
account, 834 21

Weave shops.

James Johnston,	\$647 78	
Hotchkiss and Smith, ...	634 75	
Thomas Weatherly,	282 06	
	<hr/>	1,564 59

Cabinet shop.

Charles H. Woodruff,
April account, \$323 76

Lime shop.

Henry A. Taylor, April
account, 418 87

Cooper shop.

Samuel Taylor, April ac't, 76 00

Stone shop and quarries.

15. S. & J. Isaacs, 50 tons stone,	25 00
do use of horse &c.,	4 00
W. B. Post, do	6 50
Mrs. Underhill, stone sink,	5 00

May.

16. Capt. Smith, 1 ton stone,	50	
26. James B. Swain, 1 piece coping,	2 00	
28. Captain Finger, 10½ days convict labor, ..	6 30	
30. Captain Barritt, 10½ days canal labor,	6 30	
	<hr/>	55 60

Provisions.

22. John W. Lounsbury, six bushels salt,	\$1 50	
31. Joseph Lester, bones,	17 00	
	<hr/>	18 50

Visitors.

Sundry visitors this month,	27 50	
	<hr/>	

5,973 65

\$7,801 72

Cash expended this month as follows :

1851. *Officers.***May. Vou.**

1. 1851 Paid sundry officers per pay roll, April,	\$1,988 18
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Guards.

2. Paid sundry guard per day roll April,	960 90
--	--------

Provisions.

3. 8. Paid John Brown, potatoes,	\$5 25	
17. 17. R. H. Johnson, pork and beef,	530 00	
18. R. H. Johnson, pork and beef,	455 00	
19. R. H. Johnson, pork and beef,	549 25	
	<hr/>	1,539 50

May. Vou.

Clothing.

1.	5.	Paid Chalmers & Ward, yarn,	\$145 66	
19.	20.	McCord & Smith, serge, &c.,	7 13	
31.	24.	Henry E. Paulding, wool,	37 13	
			<hr/>	189 92

Oil and fuel.

3.	9.	Paid S. W. Smith, wool,.....	\$55 50	
16.	16.	Peter Denny, charcoal,...	19 65	
31.	27.	Laird & Van Liew, oil,....	324 00	
			<hr/>	399 19

Building and repairs.

6.	11.	Paid Reed & Co., roofing,.....		205 48
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Furniture.

3.	7.	Paid Thos. Weatherby, worsted,	2 53	
19.	20.	McCord & Smith, cotton		
		batts, &c.,	72 27	
23.	21.	Wm. J. Van Tassel, wood		
		for baskets,.....	10 00	
			<hr/>	84 80

Stone shop and quarries.

2.	6.	Paid W. S. Pickering, iron, &c.,	5 88	
10.	14.	Smith Acker, hay,.....	38 77	
23.	21.	W. J. Van Tassel, wood for		
		handles,	10 00	
31.	26.	Peter Odell, hay,	37 61	
			<hr/>	92 26

Convicts' deposits.

8.	12.	Paid James Gallagher, convicts'		
		deposit,.....	1 00	
	13.	Louis Fisher, convicts' de-		
		posit,.....	1 00	
31.	23.	Francis Barnes, convict de-		
		posit,.....	51	
			<hr/>	2 51

Incidental expenses.

1.	3.	Paid Francis Larkin, att'y for		
		Romer and Riggs,	50 00	
2.	4.	R. Lockwood, counsel fee,	30 00	

No. 35.]		173	
May. Vou.			
3.	10.	Paid Mary Weatherspoon, damages by blasting,	2 50
16.	15.	Croswell & Shaw, advertising convict labor,	22 90
26.	22.	E. B. Spooner, advertising convict labor,	6 55
31.	25.	Lockwood & Cobb, costs, &c.,	400 57
			<hr/> 512 52

Discharged convicts.

31.	28.	Paid 25 discharged convicts this month,	111 65
			<hr/>
			\$6,086 01
			<hr/>
Balance in agent's hands bro't forward,			\$1,715 71
			<hr/>

STATE OF NEW-YORK, {
Westchester county, } ss:

Munson J. Lockwood, agent, and James C. Hale, clerk of the Sing Sing Prison, being duly sworn, depose and say, that the foregoing account is correct and true, according to the best of their knowledge and belief.

MUNSON J. LOCKWOOD,
JAMES C. HALE.

Sworn and subscribed before me {
this 18th day of June, 1851. }

A. H. Wells, Inspector of Prisons.

SING SING PRISON, }
June 30th, 1851, }

To the Inspectors of State Prisons :

The agent respectfully reports that the following is a true statement of the moneys received and expended for the general support, &c., of the said prison during the month ending the 30th June, 1851:

To cash received this month as follows :

1851.

June 1. Balance from last month's account brought forward, \$1,715 71

Lime shop.

2. Henry A. Taylor, May acc't, \$489 04

Cooper shop.

Samuel Taylor, May acc't, ... 59 00

Hat shop.

4. Charles Watson, May acc't, .. 1,679 79

Saddlery hardware..

6. J. J. Lewis, May account, ... 3,081 51

File shop.

Henry A. Taylor, May acc't, 673 43

Weave shops.

Hotchkiss and Smith, \$658 30

Thos. Weatherby, .. 294 56

5. James Johnston, 666 97
1,619 83

Cabinet shop.

4. Chas. H. Woodruff, May acc't, 383 23

Saw shop.

5. Cortlandt Wood, May acc't, ... 320 20

Shook shop.

19. Henry R. Hubbell, May acc't, 125 38

Stone shop and quarries.

7. Edwin Cross, one load
stone, \$1 25

June 1. J. W. Clark, one load

stone,..... \$0 38

S. S. Parker, convict

labor, &c.,..... 33 34

13. Capt'n Jones, convict

labor, &c.,..... 3 60

23. David Ludlam, Jr.,

stone, 100 00

David S. Ludlam,

stone,..... 20 31

30. Capt. Shell, stone, ... 50

159 38	
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Hospital stores.

David Baily, 1 cow, 35 00

Visitors.

Sundry visitors this month,.. 41 50

6,667 31

\$8,383 02

Cash expended this month as follows:

1851.

Officers.

June Vou.

1. 1. Paid sundry officers per pay

roll, May,..... \$1,977 10

9. 10. Paid A. W. Bird, services as

extra keeper, 7 50

30. 27. Paid Isaac Van Wart, services

as extra keeper,..... 15 07

\$1,999 67

Guard.

2. Paid sundry guard per pay roll, May,... 963 00

Provisions.

2. 3. Paid Clark & Burrhus, meal, \$96 00

4. 4. " G. B. Tompkins, fresh

beef, 112 80

7. 8. Paid John V. Tompkins, rye

flour,..... 90 00

12. 12. Paid Williamson & Vail, flour, 284 21

June Vou.

19.	18.	Paid John P. Coe, potatoes,..	131	75
23.	21.	" David L. Ludlam, onions,	10	50
30.	23.	" William Vail, rye,.....	24	30
	24.	" Laird & Van Liew, meal,	52	50
	25.	" " " molasses,	111	65
	26.	" Stillwell & Brown, rice,	23	52
	28.	" James Johnston, flour,..	36	00
	29.	" A. S. Hatch, rice,.....	186	76
	31.	" Laird and Van Liew,		
		molasses,	183	59

1,343 58

Hospital stores.

4.	4.	Paid G. B. Tompkins, meal,..	12	66
9.	9.	" Wm. Campbell, tobacco,	9	16
15.	15.	" Marsh & Co., trusses, ..	15	00
23.	21.	" David S. Ludlam, coffee		
		and flour,.....	138	50
30.	26.	Paid Stillwell & Brown, to-		
		bacco and sugar,	76	43

251 75

Clothing.

5.	6.	Paid David C. Codington, hats,	7	50
10.	11.	" Chalmers & Ward, yarn,	80	55

88 05

Building and repairs.

5.	6.	Paid David C. Codington, brick,	10	50
13.	13.	" Lyon & Paddock, timber,	87	60

98 10

Furniture.

5.	5.	Paid James Johnston, carpet,	73	50
17.	17.	" Clark & Solomon, brooms,	4	00
23.	21.	" D. S. Ludlam, brushes,	2	75

80 25

Stone shop and quarries.

2.	3.	Paid Clark & Burrhus,.....		
----	----	----------------------------	--	--

28 44

Convicts' deposits.

15.	16.	Paid John Carroll,	79	
22.	19.	" George Burrows,	5	00

June Von.

23. 20.	Paid Louis McClain,.....	25	
5. 7.	" James Honeyman,	20 00	
		<hr/>	26 04

Incidental expenses.

14. 14.	Paid Ralph Lockwood, fees,..	20 00	
23. 22.	" Mary Weatherspoon, da- mages, &c.,	2 81	
		<hr/>	22 81

Discharged convicts.

30. 30.	Paid 39 discharged convicts this month,	194 32
		<hr/>
		\$5,096 01
		<hr/>

Balance in agent's hands bro't forward,..	\$3,287 01
	<hr/>

STATE OF NEW-YORK, }
 Westchester county, } ss.

Munson J. Lockwood, agent, and James C. Hale, clerk of the Sing Sing Prison, being duly sworn, depose and say that the foregoing account is correct and true, according to the best of their knowledge and belief.

MUNSON J. LOCKWOOD,
 JAMES C. HALE.

Sworn and subscribed before me, }
 this 16th day of July, 1851, }

JOAKIM URMY, *Justice of the Peace.*

July. Vou.

Hospital stores.

9.	6.	Paid Geo. Sherwood, sugar, &c.	\$14 49	
25.	16.	" Laird & Van Liew, tobacco,	201 98	
30.	18.	" Williamson & Vail, "	45 51	
31.	23.	" Morgan Hyatt, soap,....	32 04	
	24.	" H. W. Ambler, lard, &c,	3 83	
	28.	" Davis & Raymond, fresh meat,.....	45 70	
			<hr/>	343 55

Clothing.

12.	10.	Paid J. Clement Yoe, clothing,	\$95 94	
31.	26.	" Marshall & Stephens, dry goods,.....	314 52	
	31.	" Elijah Dunham, leather,	234 00	
			<hr/>	644 46

Building and repairs.

25.	14.	Paid W. C. Arnold, lumber,..	\$140 53	
31.	27.	" David Reed, "	219 94	
			<hr/>	360 47

Oil and fuel.

13.	9.	Paid Merritt Smith, oil,	\$48 30	
31.	26.	" Marshall & Stephens, wood,	1 75	
			<hr/>	50 05

Furniture.

9.	6.	Paid G. Sherwood, brooms, &c.	\$13 38	
31.	24.	" H. W. Ambler, "	16 97	
			<hr/>	30 35

Postage and stationery.

8.	5.	Paid Doggett & Rode, N. Y. Directory,	\$2 25	
14.	12.	Chas. C. Butler, prayer books,	18 00	
17.	13.	Jas. W. Robinson, postage,..	22 02	
			<hr/>	42 27

Stone shop and quarries.

7.	4.	Paid Will Ricketts, hickory butts,	\$13 33	
31.	25.	" E. F. Haubold, powder,.	250 00	
	29.	" Israel G. Hong, hay,....	111 05	
			<hr/>	374 38

July. Vou.

Convicts' deposits.

5.	3.	Paid Medad Groff, a convict,.	\$2 06	
10.	8.	" Wm. Robinson, "	50	
			<hr/>	2 56

Incidental expenses.

14.	11.	Paid Ralph Lockwood, fees,..		35 00
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Discharged convicts.

31.	30.	Paid 14 discharged convicts, this month,.....		57 42
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\$11,869 77

Balance in agent's hands brought forward,..... \$2,319 55STATE OF NEW-YORK, }
Westchester County, } ss.

Munson J. Lockwood, agent, and James C. Hale, clerk of the Sing Sing prison, being duly sworn, depose and say, that the foregoing account is correct and true according to the best of their knowledge and belief.

MUNSON J. LOCKWOOD,
JAMES C. HALE.

Sworn and subscribed before me, {
this 7th day of August, 1851. }

A. H. WELLS, *Inspector of State Prisons.*

SING SING PRISON, }
 Sept. 1st, 1851. }

To the Inspectors of State Prisons :

The agent respectfully reports that the following is a true statement of the moneys received and expended for the general support, &c., of the said prison during the month ending the 31st August, 1851.

1851. To cash received this month as follows:

Aug. 1. Balance from last month's account bro't
 forward, \$2,319 55

Hat shop.

2. Charles Watson, July account, \$1,370 11

File shop.

James Horner & Co., July ac't, 619 30

Saddlery hardware.

J. J. Lewis, July account, 925 33

Weave shops.

James Johnston, \$649 32

Thomas Weatherby, 268 13

Hotchkiss & Smith, 539 70

1,457 15

Lime shop.

Henry A. Taylor, July ac't, .. 451 62

Cooper shop.

Samuel Taylor, July account, . 36 00

Saw shop.

Cortlandt Wood, July account, ' 537 62

Shoek shop.

Henry R. Hubbell, July ac't, . 102 23

Cabinet shop.

Charles H. Woodruff, July ac't, 362 96

Stone shop and quarries.

5. David Reed, stone, .. \$0 94

16. Seth Bird, stone, ... 75 00

Aug. 19.	James C. Willetts,	
	convict labor,....	\$2 70
23.	Aaron Ward, monu-	
	ments, &c.,.....	33 37
30.	John Barlow & Son,	
	old lead, &c.,....	47 62

\$159 63
House and farm.

5.	Oliver Washburn, rent,....	31 25
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Provisions.

22.	Joseph Listers, bones,.....	5 90
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Convicts' deposits.

9.	James Carr and John Charles,	73
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Oil and fuel.

16.	J. & S. Engle, camp. bbls.,...	30 00
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Appropriations.

	Draft on Comptroller,.....	5,000 00
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Visitors.

	Sundry visitors this month,..	61 00
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\$11,150 83

\$13,470 38

~~13,470 38~~

Cash expended this month as follows:

1851.

Officers.

Aug. Vou.

1.	1. Paid sundry officers, per pay	
	roll July,	\$1,984 85

8.	9. Paid Isaac Van Wart, services	
	as extra keeper,.....	18 00

\$2,002 85
Guard.

1.	2. Paid sundry guards, per pay roll July,...	981 50
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Provisions.

6.	5. Paid I. Woolsey, ft. beef, &c.,	\$47 39
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11.	Leonard Chadeayne, flour,	22 00
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13.	A. A. Ruggles, meal,....	43 63
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Aug. Vou.

14. 16.	Paid Reuben Quinby, pork, &c.	\$529 63	
16. 17.	And'w Lewis, cartage &c.	108 63	
27. 25.	A. A. Ruggles, onions, &c.	70 21	
29. 28.	A. S. Hatch, molasses, &c.	298 83	
30. 32.	Laird & Van Liew, pep- per, &c.,	15 01	
33.	Laird & Van Liew, flour,	257 41	
37.	Davis & Raymond, beef &c.	109 12	
43.	Andrew Lewis, carting provisions,	22 47	
		<hr/>	\$1,524 83

Hospital Stores.

6. 5.	Paid Isaac Woolsey, ft. sugar,	\$4 42	
14. 15.	Reuben Quinby, mackerel,	40	
16.	, do tobacco, &c.,	39 17	
25. 24.	W. Ward & Co., medicines,	379 92	
30. 32.	Laird & Van Liew, sugar, &c.,	259 51	
37.	Davis & Raymond, fresh meat,	22 86	
		<hr/>	706 28

Clothing.

6. 4.	Paid Wm. Robinson, leather,	\$261 75	
5.	Isaac Woolsey, ft. on "	1 50	
7. 8.	Draper, Knox & Inger- soll, prints, &c.,	287 22	
9. 12.	Chalmers & Ward, yarn,	404 14	
14. 16.	Reuben Quinby, muslin, &c.,	82 65	
20. 20.	Hudson River Railroad, freight on dry goods, ..	28	
25. 23.	Oscar Schenck & Co., warp, &c.,	480 25	
30. 30.	Wm. H. Skinner, muslin, &c.,	45 60	
42.	Chalmers & Ward, filling,	341 56	
43.	And'w Lewis, cart. goods,	37 22	
		<hr/>	1,908 14

Aug. Von.	Building and repairs.		
6. 5.	Paid I. Woolsey, ft. paint, &c.	\$11 56	
6.	B. S. Washburn, hardware,	49 75	
7.	" " "	14 44	
9. 10.	Stephen Collyer, lumber,	232 48	
14. 15.	Reuben Quinby, cement, &c.,	9 17	
16.	Reuben Quinby, cement, &c.,	8 27	
30. 29.	William Bleakly, bricks,	28 75	
34.	Wetmore & Co., sheet iron,	72 82	
38.	John Barlow & Sons, hard- ware,	774 97	
43.	Andrew Lewis, carting bricks,	26 97	
		<hr/>	\$1,229 18

Oil and fuel.

6. 5.	Paid Isaac Woolsey, freight on oil, &c.,	\$1 57	
14. 15.	Reuben Quinby, freight on camphine,	1 50	
16.	Reuben Quinby, freight on wood,	2 00	
11. 18.	J. & S. Engle, camphine,	491 79	
19. 19.	James C. Willetts, freight on coal,	107 00	
20. 20.	Hudson River R.R. Co., freight on fluid,	86	
30. 36.	D. D. Mangum, wood, ...	5 00	
43.	Andrew Lewis, cart. &c.,	52 50	
		<hr/>	662 22

Postage and stationery.

30. 31.	Paid Henry Anstice, bill of stationery, ..	95 00	
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Stone shop and quarries.

5. 3.	Paid Harris & Buckhout, feed,	\$28 18	
20. 20.	Hudson River R.R. Co., freight on feed,	1 35	
23. 22.	Aaron Ward, hay,	20 23	
29. 27.	E. F. Hanbold, powder, ..	135 00	
30. 43.	And. Lewis, labor teams,	15 00	
		<hr/>	198 71

Aug. Vou.

Furniture.

6.	5.	Paid Isaac Woolsey, freight on brooms,.....	\$1 00	
14.	16.	Reuben Quinby, freight on brooms,.....	4 37	
			<hr/>	\$5 37

Convicts' deposits.

12.	14.	Paid J. F. Hussem,.....	\$2 00	
	35.	John Aldridge,.....	9 08	
			<hr/>	11 08

Incidental expenses.

21.	21.	Paid Ralph Lockwood, fees,..	\$50 00	
28.	26.	A. K. Hoffman, services,.	3 00	
30.	39.	R. A. Robinson, expenses to Utica,.....	33 19	
		Elisha Crawford, fees J. W. Tompkins,.....	220 50	
			<hr/>	306 69

Discharged convicts.

30.	40.	Paid 26 discharged convicts this month,.....	\$136 05	
		Error in May account D. O., voucher 28, in adding,....	20 00	
			<hr/>	156 05

\$9,776 52

Balance in agent's hands, brought forward,.. \$3,693 86STATE OF NEW-YORK, }
Westchester county, } ss.

Munson J. Lockwood, agent, and James C. Hale, clerk of the Sing Sing prison, being duly sworn, depose and say, that the foregoing account is correct and true, according to the best of their knowledge and belief.

MUNSON J. LOCKWOOD,
JAMES C. HALE.

Sworn and subscribed before me, }
this 9th day of Sept., 1851, }

JOAKIM URMY, *Justice of the Peace.*

SING SING PRISON, }
September 30th, 1851. }

To the Inspectors of State prisons :

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support, &c. of said prison, during the month ending 30th Sept. 1851.

1851. To cash received this month as-follows :

Sept. 1. Balance from last month's account bro't
forward,..... \$3,693 86

Hat shop.

2. Charles Watson, August and
September,..... \$2,657 78
Wm. H. White, per Charles
Watson, on acc't of judg-
ment, old acc't 1848, 554 04

File shop.

James Horner & Co. August
and September,..... 1,198 19

Saddlery hardware.

J. J. Lewis, Aug. and Sept... 1,857 03

Weave shops.

Hotchkiss & Smith,
August,..... \$536 91
A. H. Smith, Sept.. 377 68
3. Thomas Weatherby,
Aug. and Sept.,... 479 91
James Johnson, Aug.
and Sept.,..... 1,193 52
————— 2,588 02

Lime shop.

Henry A. Taylor, Aug. & Sept. 858 04

Coopers' shop.

Samuel Taylor, Aug. & Sept.. 73 75

Cabinet shop.

Sept. 3. Chas. H. Woodruff, Aug. and
Sept., \$696 82

Saw shop.

Cortland Wood, August and
September, 1,218 60

Shook shop.

Henry R. Hubbell, August
and September, 333 94

Stone shop and quarries.

5. Cyrus Frost, stone,	\$4 50
9. T. I. Seixas, "	25 00
13. Cap't Atkin, "	22 50
18. Jas. Carpenter, "	1 75
David C. Codington,	
stone,	4 38
Wm. M. Skinner,	
stone,	4 50
Abm. Acker, stone,.	8 00
20. David McCard, "	8 06
Edmund Blunt, "	9 00
23. Burger Van Horn,	
stone,	1 25
Stephen Ogles, stone,	63
30. Mr. Hemmingway,	
stone,	1 12
Charles F. Maurice,	
stone,	10 45
Oliver Washburn,	
stone,	4 87
H. Wild, Sec'y, &c.,	
stone,	76 88
Sam. C. Jones, stone,	176 50
Andrew Lewis, "	2 74
Seth Bird, "	8 25
Rev. Mr. Bowden "	263 24

Sept. 30. Geo. E. Stanton, Sec.

&c., stone,	143 50	
New Jersey Iron Co.		
stone,	55 00	
William H. Peck, 1		
horse,	166 00	
Jno. Rotherly, stone,	40 00	
	<hr/>	1,033 12

House and farm.

3. Isabella Bard, $\frac{1}{4}$ rent,	25 00	
30. J. J. Lewis, 1 year's		
rent,	20 00	
O. Washburn, $\frac{1}{4}$ rent,	31 25	
	<hr/>	76 25

Provisions.

13. Joseph Lister, bone,	2 95	
23. Burger Van Horn,		
onions,	4 50	
27. John W. Lounsberry,		
salt,	1 00	
30. Mrs. Grace Wicks,		
swill,	31 13	
Laird & Van Liew,		
error in April ac't		
1851, (vou. 231,		
see June ac't, vou.		
31,)	188 59	
	<hr/>	223 17

Convicts' deposit.

Mary Robe,	8 75
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Appropriations.

17. Dr. on Comptroller,	2,000 00
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Visitors.

Sundry visitors this month, ..	34 25	15,406 75
	<hr/>	<hr/>
		\$19,100 61

1851. Cash expended this month as follows:

Officers.

Sept. Vou.

1	1.	Paid sundry officers, per pay roll, August,	\$1,974 02	
8	5.	" Isaac Van Wart, extra services as keeper, ..	31 50	
19	7.	" Harrison Hilliker, extra services as keeper, ...	26 25	
30	20.	" Edgar Buckhout, extra services as keeper, ..	3 00	
	22.	" Daniel Luther, extra services as keeper,	3 00	
			<hr/>	\$2,037 77

Guard.

1	2.	Paid sundry guard, per pay roll, August,		1,038 50
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Provisions.

8	4.	Paid Laird & VanLiew, codfish,	24 28	
23	8.	R. H. Johnson, pork,	595 70	
	9.	R. H. Johnson, error in bill, July, vou. 19,	1 00	
16	30.	William Pugsly, beef,	11 07	
	23.	John R. Shaw, pork,	232 50	
	24.	Geo. W. Lynch, onions,	866 01	
	27.	" meal,	21 31	
	28.	Davis & Raymond, beef,	172 07	
	29.	A. A. Ruggles, flour,	228 28	
	32.	" "	1,048 71	
	31.	" onions,	75 73	
33		Chenery & Johnson, pork, ..	530 00	
34		" pork & beef,	1,322 50	
35		" pork,	415 00	
			<hr/>	5,044 26

Hospital stores.

30	16.	Paid Wm. Pugsly, beef, . . .	1 18	
	28.	" Davis & Raymond, beef, . . .	7 23	
			<hr/>	8 41

Clothing.

Sept. Von.

30	10. L. & V. Kirby, satinot, &c...	\$36 97	
	30. J. Pinkham, warp, &c.. ...	452 52	
		<hr/>	\$489 49

Building and repairs.

31.	Paid Alfred Sgrave, tin,....	193 50	
25.	" David Reed, lumber,...	338 87	
		<hr/>	532 37

Oil and fuel.

26	11. Paid S. S. Ward, coal on judgment,.....	1,207 09	
30	14. " Joseph J. Lewis, coal, &c.	49 83	
		<hr/>	1,256 92

Furniture.

23	10. Paid L. & V. Kirby, blankets, &c.....	259 36	
30	21. " Alfred Sgrave knives, &c.	26 96	
	15. " Thomas Clark & Co., brooms, &c.	35 50	
		<hr/>	321 82

Stone shop and quarries.

30	12. Paid Saflin & Smith, powder,	237 50	
	13. " E. F. Hanbold, "	57 50	
	17. " Oliver Washburn, straw,	28 42	
	19. " Jane Furman, straw, ..	8 89	
		<hr/>	332 31

Convicts' deposit.

6	3. Paid David J. LaClaire, convict deposit,.....		2 00
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Incidental expenses.

Sept. Von.

8	6.	Paid Ralph Lockwood, counsel fee,	\$25 00	
26	18.	" Francois Larkin, counsel fee,	157 00	
26.	"	Lockwood & Cobb, witness fees, &c.....	140 10	
			<hr/>	322 10

Discharged convicts.

36.	Paid 17 discharged convicts this month,	85 65
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\$11,471 60

Balance in agent's hands bro't forward,.. \$7,629 01

STATE OF NEW-YORK, }
 Westchester County, } ss.

Munson J. Lockwood, agent, and James C. Hale, clerk, of the Sing Sing prison, being duly sworn depose and say, that the foregoing account is correct and true, according to the best of their knowledge and belief.

MUNSON J. LOCKWOOD,
 JAMES C. HALE.

Sworn and subscribed before me, }
 this 31st day of October, 1851, }

JOAKIM URMY, *Justice of the Peace.*

STATEMENT

Of the valuation of State property at the Sing Sing Prison, on the 30th day of September, 1851, as taken and valued by William O. Mills, Daniel K. Sherwood, and James T. Collyer, sworn appraisers.

In mess room and kitchen—steam boilers, pumps, tables, stools, plates, &c.,	\$1,610 63
Wash house—wash tubs, pails, pegs, wheelbarrows, &c.,	18 50
Store house—flour, rice, beef, pork, molasses, meal, &c.,	1,890 33
Fire engine house—engine hose, fire buckets, ladders, &c.,	775 00
Lower store house—flour and potatoes,	97 50
West dock and yard—marble pillars, crane, weigh-bridge, sundries, &c.,	2,135 90
Stone shop—anvils, tools, iron, steel, bellows, &c., ..	334 20
Black and tin-smith's shop—tools, tin, iron, &c., ..	407 15
Carpenters' and coopers' shop—benches, desk and seat, coopers' and carpenters' tools, &c.,	404 84
Chapel—stoves and pipes, benches, pulpit, books, &c.,	45 51
State shop—stocking and cloth looms, clothing, tailors' and shoemakers' kits, leather, old and new shoes, &c.,	7,329 33
Chaplain's office—book case, desk, sundry books, and table and stove,	188 60
Hat shop—desk and seat, stoves and pipes, tubs, &c., ..	83 50
South weave shop (Weatherby's)—desk and stand, stoves and pipes, &c.,	32 50
Cabinet shop—desk and stand, stoves and pipes benches, &c.,	13 88
Middle weave shop, (Hotchkiss and Smith)—desk and stand, stove and pipes, wheelbarrows, &c., ..	32 00
Plating shop—desk and seat, stove and pipe, brooms, baskets, &c.,	14 50

In north weave shop—desk and stand, seat and cushion, stove and pipes, &c.,	\$64 58
Saddlery hardware shop—desk and stand, stove and piping, wheelbarrow, &c.,	36 50
Foundry—desk and stand, stove and piping, large tubs, &c.,	38 13
File shop—lathe and tools, grindstone, tools, vice, steel, iron, &c.,	472 73
Old kitchen, (used as storehouse)—window glass, nails, oil, camphine, lead, turpentine, &c.,	321 36
Saw shop—desk and stand, stove and piping, seat and cushion, &c.,	21 09
Lime shop—desk and stand, stove and piping, seat and cushion, &c.,	12 30
Coopers' shop—desk, stand and closet, stove pipe, and water pail, &c.,	11 43
Keepers' hall—lanterns, lamps, bed and bedding, cupboard, chair, &c.,	115 59
Agent's, warden's and clerk's office—book case, books, desks, tables, chairs, sofas, &c.,	647 10
Warden's house—cooking apparatus, floor cloth, carpet, &c.,	144 52
Guard house—carbines, pistols, sabres, arm racks, stoves, &c.,	1,653 45
East yard, barn and stables—oxen, cows, horses, carts, harness, wagons, &c.,	915 21
Marble quarry—chains, crow bars, tools, &c., and powder in kegs,	481 04
Hospital—furniture, bedding, medicines, surgical instruments, &c.,	1,020 45
Main prison hall—bedding, bunks, night tubs, wash kids, &c.,	3,216 70
Clothing room—woolen and cotton clothing, muslin, &c.,	1,051 87
Total male prison,	<u>\$25,637 92</u>

Female Prison.

In kitchen and mess room—boilers, tables, kitchen utensils, &c.,	\$161 1
Store room—bread pans, flour, meal, and molasses, &c.,	22 63
Main hall—beds and bedding, sheets, night tubs, benches, &c.,	604 96
Nursery—stove and pipe, cradle, table, chairs, &c.,	6 25
Clothes room—comforters, quilts, muslin, clothing, &c.,	191 08
Work shop—stoves and pipes, benches, stands, tables, &c.,	84 65
Chapel—benches, chairs, pulpit, books, &c.,	26 25
Hospital—bath and fixtures, tables, chairs, bedding, medicines, &c.,	382 78
Matron's kitchen—tables, tin ware, stove and pipe, crockery, &c.,	21 94
Matron's dining room—carpet, table, chairs, stove and pipe, &c.,	36 06
Matron's parlor—carpet, sofa, table, chairs, &c., ..	83 75
Matron's office—writing desk, chairs, table, sofa, book-shelves, &c., carpet, washstands, &c.,	27 00
Upper hall—Oil cloth, table, lamp, carpet for stairs, &c.,	13 00
Bed room—table, bowl and pitcher, carpet &c., ..	3 50
Attic—cots, book-case, grate and fixtures, &c.,	11 00
Inspectors' room—carpet, table, sofa, chairs, book-case, books, &c.,	374 48
Wood house—basket, coal box, coal screen, &c., ..	7 00
Garden—garden tools, &c.,	26 26
Total female prison,	<u>\$2,083 69</u>

State Farm.

130 acres, @ \$200,	\$26,000 00
Grand total,	<u>\$53,721 61</u>

CLERK'S REPORT.

CLERK'S OFFICE, SING SING PRISON, }
December 1st, 1851. }

To the Inspectors of State Prisons:

Gentlemen—In compliance with the statute, I herewith furnish the following statistics of this prison :

No. of male convicts remaining in prison 1st Dec., 1850, 694		
do	do	received from courts during the
		year ending 30th Nov., 1851, .. 280
		———— 974
do	do	discharged by expiration during the
		past year, 156
do	do	discharged by pardon, 42
do	do	discharged by reversal of judgment, 1
do	do	died from sickness, 19
do	do	escaped, W. H. Hazard, 1
		———— 219
Remaining in prison 1st December, 1851, 755		

The following is an exhibit of the number of male and female convicts employed on contract labor on the 1st day of December, 1851, and the contract price of each per day, with the name of each respective contractor and nature of employment ; also the number of men employed on account of the State, with the nature of their labor, productive and unproductive :

Contractors' names.	Nature of employ.	No. of		Price
		males.	females.	
Henry R. Hubbell,..	manufacturing shooks,	25	40	cents.
Henry A. Taylor,...	lime burners,	23	40	"
Samuel Taylor,.....	coopers,	3	50	"
Cortlandt, Wood & Co.	making saws,	73	40	"
James Horner & Co.,	making files,	67	40	"

Contractors' names.	Nature of employ.	No. of males.	No. of females.	Price per day.
James Johnston,....	carpet weaving,	65		40 cents.
Joseph J. Lewis,....	saddlery hardware,....	68		35 "
Augustus H. Smith,.	carpet weaving,	39		41½ "
Peter Hayden,	plating harness furniture, 31		40	"
Chas. H. Woodruff, .	cabinet contract,.....	46		40 "
Thomas Weatherby,.	carpet weaving,	22		40½ "
Charles Watson,....	hat making,	91		40 "
Charles Watson,....	hat binding,		55	20c prdz.
Henry A. Taylor,...	quarrying,.....	20		40 cents.

ON STATE WORK. PRODUCTIVE, 1ST CLASS.

In stone shop.

Stone cutters, blacksmiths, carpenters and plasterers,.. 20

In stone quarries.

Quarrymen, teamsters, &c.,..... 18

In State shop.

Turners and engineers,..... 3

PRODUCTIVE, 2D CLASS.

In tailors' shop.

Tailors, shoe-makers, weavers, winders, &c., 30

In yard and docks.

Laborers, &c., 6

UNPRODUCTIVE.

In mess room and kitchen.

Cooks, waiters, bakers, scullions, &c., 16

In hospital.

Sick 12, waiters and cook 4,..... 16

In main prison hall.

Lamp-lighters, waiters, &c.,..... 13

In wash-room.

Clothes washers, 3

In stables

Teamsters, ostlers, cowboy, &c., 6

In shops.

Waiters, 40

In Warden's house.

Waiters and gardener, 3

In keeper's hall.

Barber and waiters, 3

FEMALE PRISON.

No. of females remaining in prison Dec. 1st, 1850,	71	
do received during the year ending 30th		
November, 1851,	38	
		109
do convicts discharged by expiration during		
the year ending 30th Nov., 1851, ...	29	
do convicts discharged by pardon,	1	
do do died from sickness,	3	
do do sent to lunatic asylum at Utica,	1	
		34
do do remaining in prison Dec. 1, '51,	75	

Of which number were employed as follows:

Hat binding, Charles Watson,	55	
Making and mending convict clothing, cooking, wash-		
ing, waiters and sick,	20	
		75

All of which is respectfully submitted, by

Your obedient servant,

JAMES C. HALE, *Clerk.*

A LIST

*Of debts due the Sing Sing Prison on the 1st day of December, 1851,
as appears from the prison ledger.*

Ledger folio.	When con- tracted.	By whom due.	Nature of debt.	Amount.
230	1849-50	Hotchkiss & Smith,	Conv't lab'r	\$6,030 73
230	1846-50	Garrett Fashay,	do	49 15
241	1843-48	Robert Wiltsie,	do	1,521 35
245	1846-49	Henry R. Hubbell,	do	88 02
251	1848	James Horner & Co.,	do	3,828 32
256	1850	John Humphries,	do	798 53
259	1849	William J. Buck,	do	369 12
263	1849	William A. White,	do	27 67
271	1847	James Spencer,	do	31 69
273	1847	Pompton Iron Works,	Stone,	53 62
274	1844-50	George E. Stanton,	do	75 92
275	1851	Benjamin Brandreth,	do	20 31
277	1849	Naval Hospital,	do	469 08
278	1845	Paul McCard,	do	228 75
279	1843	Zalmon J. McMasters,	do	12 25
283	1843-45	S. M. Tompkins,	do	23 56
280	1848	Michael Flanelly,	do	13 41
282	1846	Pierre Van Cortlandt, Jr.,	do	25 00
282	1851	Board of U. S. convicts,	Sup. U. S. C.	1,500 00
284	1849	St. Paul's Ch. Sing Sing,	Stone,	3 50
285	1851	O. H. Booth,	do	22 50
288	1843-44	Aaron B. Lockwood,	do	14 29
288	1844	Williams and Atwood,	Conv't lab'r	5 50
289	1844	Isaac C. Smith,	Powder,	18 00
289	1848	Charles Lynch,	Stone,	40 86
294	1844	Stephen Marshall,	do	2 00
294	1844	Merritts & Co.,	Conv't lab'r	2 40
296	1844	French Catholic Church,	Stone,	30 28
299	1851	Abraham Kipp,	do	3 00
301	1846	Samuel Tompkins,	Sundries,	10 61
301	1851	Peter Odell,	Empties,	12 13
302	1851	Stephen Jennings,	Stone,	5 31
305	1846	Levi Peck,	do	5 00
307	1849	Andrew Wheeler,	do	5 65

LIST.—(CONTINUED.)

Ledger folio.	When contracted.	By whom due.	Nature of debt.	Amount.
307	1850	Stephen Colyer,	Stone,	\$13 14
307	1848	Henry Allen,	Swill & st'n	331 50
308	1849	C. A. Montross,	Oxen & st'n	62 04
309	1817	T. M. Niven,	Stone,	66 05
309	1846	John Orser,	Lab'r & st'n	4 56
809	1846	Dr. Edwards,	Stone,	1 00
311	1851	Michael Lent,	do	62
312	1847	Samuel L. Mott,	do	9 20
312	1851	Isaac Sherwood,	do	6 50
313	1848	R. T. Underhill,	do	19 09
315	1850	Albert Lockwood,	do	3 00
315	1847	John Lawrence,	do	4 50
315	1850-51	Isaac Woolsey,	Empties,...	71 86
316	1849	State Hall Park, Albany,	Stone,	798 60
316	1851	Stephen Shadyne,	do	4 31
316	1851	Chenery & Johnson,	Empties,...	216 00
317	1850	Starr & Fellows,	do ..	24 00
317	1850	J. & S. Engle,	do ..	13 00
318	1851	J. & L. Tuckerman,	Stone,	343 14
330	1851	J. F. Sinclair,	do	15 00
330	1849	Grant & Cobb,	Labor,	31 42
344	1849	James M. Bard,	do	10 97
344	1851	William H. Peck,	Empties, ..	23 63
346	1850	John Holmes,	Stone,	8 00
346	1851	Isaac Nelson,	Tin,	5 00
347	1849-50	Colonel Webb,	Stone,	5 00
347	1849	Henry Harris,	do	2 25
347	1849-50	William Arrison,	do	1 75
349	1851	Carney Lamoureux,	do	1 50
352	1849	Martin & Crafts,	do	24 99
353	1851	Barnabas Foshay,	do	6 63
354	1849-50	Executors of J. W. Brick,	do	46 88
354	1851	do do	do	71 25
361	1851	Brundage Tompkins, ...	Salt,	12 14
361	1851	William Lewis,	Stone,	17 20
362	1850-51	George W. Lynch,	do	128 56
370	1850	F. Vredenburg,	do	112 74
370	1850	E. Benedict,	do	1 75
370	1850	D. Bailey,	do	5 75
370	1850-51	W. O. Mills,	do	16 88
376	1850	John Strang,	do	13 50
376	1850	Clark Snow,	Lath,	48 35
377	1850	E. M. Blunt,	Stone,	2 00

LIST.—(CONTINUED.)

Ledger folio.	When contracted.	By whom due.	Nature of debt.	Amount.
378	1850	Stephen Orser,	Ashes,	\$4 50
378	1850 51	Robert J. Reed & Co., ...	Labor,.....	97 00
378	1850	Jesse Ryder,	Empties,..	3 75
379	1850	Lewis Jones,.....	do ..	2 50
379	1850	Ambrose L. Jordan,.....	Stone,.....	82 37
379	1851	Rufus L. Todd,.....	Oxen,.....	96 00
380	1851	Simeon Purdy,	Empties,..	5 00
381	1851	James T. Colyer,.....	Stone,. ...	14 50
381	1851	John Cock,.....	do	5 00
388	1851	John Russell,.....	Blocks,....	96 76
390	1851	Reuben Quinby,.....	Stone,.....	60 79
391	1851	George W. Lynch,	do	4 06
392	1851	Alfred Reynolds,	do	10 37
393	1851	Ebenezer Delany,.....	do	8 08
394	1851	Peter Odell,.....	do	10 00
				<hr/> \$18,453 44

STATEMENT

Shewing the expenditure of one hundred dollars drawn from the Literature Fund, pursuant to the act passed May 13, 1846, to purchase books for the use of convicts in this prison.

Description of work.	No. Vols.	Am't.
Alton Locke,	1	60
Irving's Columbus,	1	60
Lamartine's Girondists,	1	1 75
Raphael,	1	20
Memoirs of my Youth,	1	20
Scenes where the Tempter has Triumphed,	1	30
Combe's Philosophy,	1	33
Thatcher's Indian Tracts,	2	66
Perils of the Sea,	1	33
Euler's Philosophy,	2	66
Animal Mechanism, &c.,	1	33
Sparks' American Biography,	8	2 64
The Spectator,	2	66
Hale's United States,	2	66
Renwick's Mechanics,	1	33
History of England,	5	1 65
Lives of Eminent Men,	1	33
Renwick's Chemistry,	1	33
Lives of Ancient Philosophers,	1	33
Bacon and Locke,	1	33
Trades and Professions,	2	66
Renwick's Philosophy,	1	33
Paley's Evidences,	1	33
Turner's Sacred History,	3	99

Michelet's Modern History,.....	1	33
Modern British Plutarch,.....	1	33
Spiritual Combat,.....	1	17
Female Heroism,.....	1	37
St. Augustine's Confession,	1	38
Lives of the Fathers,	2	3 50
Primitive Christianity,	1.	1 25
Minesota,	1	63
Life of Dr. Johnson,.....	1	80
Life of Madame Guyon,.....	1	1 70
Life of Catharine Adora,.....	1	45
Festivals and Fasts,	2	82
The King's Messenger,	2	25
Old Man's Home,.....	1	25
The Distant Hills,.....	1	25
Shadow of the Cross,	1	25
Gathered Fragments,	1	88
Laneton Parsonage,.....	3	2 00
Amy Herbert,	1	67
Gertrude,	1	67
German Interpreter,.....	1	34
Goethe's works,.....	2	1 70
Deck and Port,	1	1 00
Sacra Privata,	1	63
Companion to the Altar,.....	1	50
My Mother's Jewel,	1	25
Noble Army of Martyrs,	1	25
Guilty Tongue,	1	25
Francis Lucas,.....	1	25
Parish School Primer,.....	1	35
Modern History,	1	1 12
Tracts for the Season,.....	4	4 86
Mary Queen of Scots,.....	1	50
Madame Roland,.....	1	50
Charlest 1st,.....	1	50
Hannibal,.....	1	50
Marie Antoinette,	1	50
Use of the Body in relation to the mind,.....	1	33

Arctic Voyages,.....	1	33
Plutarch's Lives,.....	4	2 64
Dwight's Lives of the Signers,	1	66
Great Events,.....	1	60
Science and the arts,.....	1	60
Annals of Scientific Discoveries,.....	1	1 00
Plain Sermons,.....	2	1 25
Sewal's Morals,	1	63
Leibig's Chemistry,.....	1	20
Carlisle's Schiller,.....	1	60
Life of Mrs Godwin,.....	1	50
Roman Republic,.....	1	62
German Emigrants,.....	1	56
The German in America,.....	1	33
Four Months in California,	1	20
Good Examples,	1	75
Illustrious Mechanics,	1	75
Thornton's Oregon,.....	1	1 75
Fremont's do	1	50
Kempis' Imitation of Christ,.....	2	1 20
Life of George Castriot,	1	75
Chambers' Miscellany,	10	6 00
The Penny Magazine,.....	8	7 00
Leo the 10th,.....	2	1 70
Lorenzo de Medici,.....	1	85
Cowper and Thompson,	1	1 25
Christian Science,.....	1	1 12
Hulsean Lectures,.....	1	80
Church Women,	1	37
Our Lord's Passion,.....	1	50
Martyrs of Carthage,	1	38
Reeves' Practical Discourses,.....	1	1 25
Sinner's Guide,	1	56
Charles 2nd,.....	1	50
William the Conqueror,	1	50
Alexander the Great,	1	50
Walton's Lives,	1	68
Last Enemy,.....	1	88

Tupper's works,	2	1	75
Naomi,	1		67
History of the Reformation,	1		87
Christmas Holidays,	1		34
Three years in California,	1	1	00
Sea and Sailors,	1	1	00
Natural Philosophy,	1		33
Box and cartage,,			1 00
			<hr/>
			\$100 00
			<hr/>

WARDEN'S REPORT.

WARDEN'S OFFICE, SING SING PRISON, }
December 1st, 1851. }

To the Inspectors of State Prisons:

Gentlemen—In obedience to custom, I beg leave to submit to you the following brief statement of affairs connected with the police department of this prison.

Having had charge of the prison but nine months, I am compelled to embrace a period of time occupied by my predecessor; nor is my experience such as to enable me to furnish any valuable suggestions to those so thoroughly acquainted with all matters pertaining to my duties.

The number of convicts remaining in prison on the 30th of November, 1850, was 694, and there were received during the year, 280, making a total of 974; of these, 156 were discharged by expiration of sentence, 42 were pardoned, 1 was removed by reversal of judgment; 19 died, and 1 escaped, leaving in prison at this time, 755.

I am much pleased in being able to state that during the past year, no circumstance has transpired to interrupt the good order of the prison, or to arrest any of the various branches of business prosecuted therein. Providence has favored us with a good measure of health; the property of the State has been preserved from the torch of the incendiary, and no acts of violence or attempts at insurrection have marred the peace and quiet of the establishment. The various branches of labor have been prosecuted with satisfaction to those who employ the services of the convicts, and with profit to the State, while, by a careful dispo-

sition of the men and a watchful regard of the feeble and indisposed, health has been happily preserved and generally promoted. This branch of our system has been greatly benefited by the commodious workshops provided the preceding year, by which means we have been enabled to place every able-bodied man upon productive contract employment. I doubt not the report of the agent who has faithfully and judiciously managed the financial affairs, will bear witness to the superior industry of the prison, which cannot but have added largely to its usual income.

During the time I have had charge of the prison I have experienced much inconvenience from the want of a wall about the yards and buildings. Whatever may have been the means by which convicts could safely be kept in this prison in years past, my experience satisfies me that the opening of the Hudson River Railroad immediately through the prison yard, and the increased residences near the prison, have removed these means of safety, rendered us liable to encroachments from citizens at any hour of the day or night, and certainly exposes us to dangers, both to life, property, and the detention of the men, against which it is almost impossible for our police force to guard. The safety of the prison alone is a sufficient consideration to provide this necessary improvement, while the vast amount of property belonging to the State and contractors, and which continually remains in an exposed situation, is a matter of serious importance. The erection of the necessary wall would enable us to reduce our guard force to such an extent, that the saving of expense in that department would repay the cost of the improvement in a few years; while the increased value of labor—the security of the prison—and the various other advantages flowing from it, would be felt as long as the prison is maintained. I cannot too earnestly call your attention to this desired improvement, nor can the dangers and disadvantages arising from the absence of a wall be fully appreciated by any except those upon whom may devolve the care of the convicts and the safety of the property.

During the year my predecessor and myself have been required to inflict two hundred and thirty-three punishments, 138 of which were with the shower-bath; 4 had their hair cut close;

87 were placed in dark cell ; 3 were yoked, and 2 wore a ball and chain. Many of these punishments were inflicted on the same convicts, as the whole number of men who have not yielded to discipline and observed the rules without the resort to coercive means will not probably exceed one hundred.

It would be indecorous in me to institute any comparison of discipline, nor will my limited experience allow me to do so, but while order, industry and decorum characterize the general conduct of our prisoners, and while the number of punishments is found to be less than in any previous year, I must be allowed to express my approbation of a system so humane and so salutary in its operation, and the results of which compare so favorably with those extorted by the severe and almost inhuman flagellation which prevailed a few years since.

During the past summer a committee from the New-York Prison Association called at the prison and demanded the right to go into it unattended by any of its officers, there to withdraw convicts from their keepers—to make such examinations, and to do such acts as to them might seem best—thus in effect claiming that they possessed a power superior to the Inspectors or any of the subordinate officers. A claim so inconsistent with my authority, and so dangerous to the safety and discipline of the prison, I could not admit to exist anywhere, except with the Inspectors, and I therefore respectfully resisted what I deemed an unwarrantable interference with the powers and duties which the law and your appointment devolved upon me. Willing at all times that the management and transactions of the prison should be made the subject of public scrutiny, and truly desirous that any and every society and class of men should be made fully acquainted with the condition and treatment of the convicts, I tendered that committee every opportunity to prosecute their desired examinations proffering them the use of the books, and the privilege of interrogating the officers and the inmates, under oath or otherwise, but claiming that, as warden of the prison, I had no right to surrender its control into other hands, nor could I suffer the necessary and long standing rules of the Inspectors to be disregarded. The same privileges which were claimed and exercised by the committee of the Legislature who visited the prison

in October last, to investigate its affairs, as well as the privileges exercised by the Governor of the State, who visited the prison last summer, were extended to this committee, all of which they declined, refusing to accept of anything short of an unconditional surrender of the prison into their hands for the space of ninety days. Upon the return of this committee to New-York, they served me with an alternative mandamus, to show cause why they should not be permitted to enter the prison in the manner I have described. That proceeding is still pending before the court, and although I have no fears as to the result, yet I have thought it proper to call your attention to the subject, that you might the better be able to judge of the course I have felt it my duty to adopt.

For a short period in the summer, the convicts were visited with a complaint usual to the season, which detained a number from their labor for a few weeks; seriously affected some, but proved fatal to only four. Under the skillful and judicious treatment of Doctor Belcher, our very excellent prison physician, it was soon eradicated and the patients restored to their usual health. With this exception, we have experienced a degree of health seldom equalled in the same number of persons in any situation of life. For this blessing I feel it but an act of justice to say, we are almost entirely indebted to the untiring care of the physician, the excellent and wholesome provisions supplied by the agent, and to the system of cleanliness which has been rigidly enforced.

For more particular details I would refer you to the annexed tables, which are condensed from the official records of the prison.

The officers generally have faithfully performed their duty, and have cheerfully co-operated in carrying out the rules and regulations adopted by your board.

In conclusion gentlemen, allow me to express my thanks for the confidence you have reposed in me, and especially to the Inspector in charge, to whom I have been almost daily indebted for assistance and advice.

I am very respectfully,
your obedient servant,

R. A. ROBINSON.

Statistical tables accompanying the Warden's Report.

SING SING PRISON, }
 December 1, 1851. }

No. of male convicts remaining in prison on the 30th day of November, 1850,	694	
Received from the different courts during the past year,	280	
	<hr/>	974
No. of male convicts discharged by expiration of sentence, during the year ending 30th Nov., 1851, ..	156	
Discharged by pardon during the same period,	42	
Discharged by reversal of judgment,	1	
Died from sickness during the year,	19	
Escaped prior to 31st December, 1850,	1	
	<hr/>	219
Number remaining in prison 1st December, 1851,		755
		<hr/>

TABLE NO. 1.

Convicts received during the year ending 30th November, 1851, showing the crimes for which they were convicted.

Grand larceny,	110
Burglary,	59
Attempt at burglary,	3
Assault to rob,	2
Arson,	7
Attempt at arson,	1
Petty larceny, 2nd offence,	13
Receiving stolen goods,	3
Bigamy,	6
Forgery,	18
Rape,	4
Robbery,	7
Assault to kill,	11
Manslaughter,	10
Fake pretenses,	1

Perjury,	1
Carrying slung shot,	2
Mutiny,	8
Incest,	1
Counterfeiting,	7
Seduction,	1
Larceny at sea,	1
Murder,	2
Assault to commit a rape,	2
Total,	280

TABLE NO. 2.

Terms of sentence.

For 1 year, and under 2,	2
2 years do	83
2 do do 3,	33
4 do do 5,	30
5 do do 6,	40
6 do do 7,	13
7 do do 8,	16
8 do do 12,	14
10 do do 12,	3
12 do do 15,	6
15 do do 20,	1
20 do do 25,	2
life,	3
Total,	280

TABLE NO. 3.

Commitments and re-commitments.

Under sentence of first conviction,	264
do do second conviction,	13
do do third conviction,	3
Total,	280

TABLE NO. 4.

Age.

16 years and under 17,	21
17 do do 18,	28
18 do do 20,	35
20 do do 25,	72
25 do do 30,	56
30 do do 40,	43
40 do do 50,	17
50 do do 60,	6
60 do do 70,	1
70 do do 80,	1
Total,	280

TABLE NO. 5.

Color.

White,	240
Colored,	31
Total,	280

TABLE NO. 6.

Habits.

Temperate,	172
Intemperate,	108
Total,	280

TABLE NO. 7.

Nativity.

Natives of the United States.

New-York,	80
Pennsylvania,	11
New-Jersey,	13
Massachusetts,	5
Connecticut,	8
Maine,	1
Virginia,	3
Maryland,	3

Rhode Island,	3
District of Columbia,	2
Louisiana,	1
Vermont,	1

188

Foreigners.

England,	11
Wales,	1
Ireland,	71
Scotland,	2
Canada,	7
Germany,	32
France,	6
West Indies,	2
Prussia,	2
Italy,	8

Total, 280

TABLE NO. 8.
Counties where convicted.

New-York,	187
Kings,	32
Dutchess,	9
Albany,	2
Queens,	5
Westchester,	6
Orange,	9
Rockland,	2
Columbia,	10
Suffolk,	1
Rensselaer,	1
Greene,	3
Putnam,	1
Ulster,	10
Sullivan,	2

Total, 280

PHYSICIAN'S REPORT.

SING SING PRISON, }
Oct. 1st, 1851. }

To the Inspectors of State Prisons:

Gentlemen—Subsequent to my last report, a good degree of health existed in both prisons until July last, when diarrhœa, the common complaint of the season, became prevalent. In the course of that month the disease rapidly run into dysentery, of an aggravated nature, when, on account of the increased number of patients in the hospital, it became necessary to place a part of them in the chapel.

The whole number of patients admitted into the hospitals of both prisons, with this disease alone, was about seventy, four of which cases terminated fatally.

The daily applications for treatment in the incipient stage of this disease, and other slight complaints for July and August, averaged fifty-eight.

Two cases of cholera asphyxia, of the most aggravated form occurred in July. One proved fatal in the sequel; the other recovered after several weeks of confinement.

It will be seen on reference to the annexed tabular exhibit of deaths that there have been sixteen deaths in the male prison; fifteen from ordinary diseases, and one suddenly from affection of the heart.

Three deaths have occurred in the female prison. Two of these were in very bad health when received into prison, and were not expected to recover; the other died of dysentery.

A condensed view of the sanitary conditions of these prisons is given in the annexed tables.

Three have been sent to the asylum for the insane, at Utica, viz: William Robinson, Christina Grossman, and Ann Herring; they having been declared by two physicians as unfit subjects for prison discipline.

The present social mode of eating at the mess tables, combined with the good quality of the provisions purchased by the agent, have contributed, no doubt, greatly to the general good health of these institutions. A mild but efficient discipline is maintained in both prisons.

Two births have occurred within the past year, from convicts, soon after their reception at the female prison, one of which was premature and dead born.

Accept, gentlemen, my gratitude for past favors and believe me,

Your obedient servant,

W. N. BELCHER,

Physician.

EXHIBIT

Of the number of applications for medical treatment, number not prescribed for, and number exempt from labor, with the average number daily employed in each respective occupation throughout the prison, together with the number admitted into hospital, and total deaths for the year ending 30th September, 1851.

NATURE OF EMPLOY.	No. of daily prescriptions for the year ending 1851.	No. of daily applicants not prescribed for.	No. of daily applicants exempt from labor.	Average number employed per day.	No. from each department admitted to hospital.	No. from each department died in hospital.	Average number employed in each capacity per mo.
Shook shop,.....	136	37	15	54	2	..	66
Lime do.....	548	83	105	30	5	1	360
File and saw shop,.....	1,376	150	345	90	24	2	1,082
North weave do.....	647	86	122	58	8	1	697
Saddlery hardware,.....	1,797	157	377	102	30	4	1,223
Middle weave,.....	551	66	107	60	10	2	722
Cabinet shop,.....	786	69	119	40	11	..	352
Hat do.....	1,599	247	391	120	59	2	314
Tailors and shoemakers,.....	743	67	89	61	22	3	506
Quarry-men,.....	753	80	137	27	11	..	1,455
Laborers, &c.,.....	315	31	24	62	7	1	739
Stone cutters, &c.,.....	487	53	83	29	3	..	325
South weave shop,.....	326	16	54	26	2	..	875
Sunday prescriptions,.....	1,818	223	....	....	..	..	....
Totals.....	12,007	1,839	2,067	....	164	16	8,726

MALE PRISON.

From the 1st day of October, 1850, to the 30th day of September, 1851.	Daily prescriptions per mo.	Daily applicants not prescribed for per month.	Daily applicants exempt from labor per month.	No. of daily patients in hos. on cat. per month.
1850. October,	731	100	79	311
November,	642	99	40	226
December,	899	111	102	261
1851. January,	869	124	105	289
February,	685	70	125	239
March,	894	166	189	304
April,	896	117	155	322
May,	953	172	179	301
June,	1,088	132	165	262
July,	1,462	75	310	383
August,	1,919	120	457	621
September,	969	96	161	391
Totals,	12,007	1,332	2,067	3,908
Daily average,	35 $\frac{332}{83}$	3 $\frac{337}{83}$	5 $\frac{242}{83}$	10 $\frac{443}{83}$

FEMALE PRISON.

From the 1st day of October, 1850, to the 30th day of September, 1851.	No. of daily prescriptions per month.	No. of daily applicants not prescribed for per mo.	No. of female patients in hos. on cat. per mo.
1850. October,	119	9	96
November,	123	15	118
December,	102	12	100
1851. January,	129	21	31
February,	100	6	42
March,	167	12	18
April,	151	9	27
May,	149	11	47
June,	73	3	89
July,	186	10	186
August,	271	10	202
September,	139	8	43
Totals,	1,658	126	979
Daily averages,	4 $\frac{88}{83}$	0 $\frac{126}{83}$	2 $\frac{117}{83}$

*State of health of the convicts received during the year ending 30th
September, 1851.*

No. of convicts received in good health,	151
do do do bad health,	9
do do do imperfect health,	88
do infected with syphilis,	10
Total,	<u>258</u>

*State of health of convicts discharged during the year ending 30th
September, 1851, with a comparative view of the state of the same
men's health upon their reception in prison.*

Received in good health,	179
do bad health,	3
do imperfect health,	36
Total,	<u>218</u>

The same discharged in good health,	178
do do bad health,	2
do do imperfect health,	22
do died during the past year,	16
Total,	<u>218</u>

The teachers, it will be observed, speak of the matter of increasing the efficiency of the present system of instruction. If it were thought proper to afford the convicts better advantages of education, there can be no doubt of its value to them.

And the particular mode which they point to of securing the constant services of a teacher, or of some way combining the pupils in classes, would be decidedly the most advantageous, if practicable.

The tables of statistics which I annex, are compiled from the prison registers, the items are obtained partly from the commitments, and partly from a personal examination of the convicts at the time of their reception, I must express my satisfaction at the order for providing a more suitable and convenient chaplain's office. It will much facilitate the performance of his duties.

I am sensible of the imperfect manner in which it is possible for me to perform all the duties which the care of so many souls give scope for; but my work has not been without its satisfactions. Many things from the convicts encourage and interest one who is engaged in promoting their spiritual welfare.

I would acknowledge too, the kind manner in which I have been treated by yourselves, and the other officers of the prison. May God make all the labors of the institution effectual towards the suppression of vice, and the promotion of justice and religion.

I am, gentlemen, yours respectfully,
MINOT M. WELLS, *Chaplain.*

TEACHER'S REPORT.

To the Rev. Mr. Wells, Chaplain of the Sing Sing Prison:

Sir—In compliance with your request, we hereby report that the whole number of convicts under our instruction at present, and the studies they are respectively pursuing, are as follow, viz:

Whole number,.....	195
Learning to spell,	74
Learning to read,	121
Learning to write,.....	59
In addition,	16
In subtraction,	5
In multiplication,.....	6
In division,.....	51

And this is about the average number under our charge. Of the number thus engaged, several have made extraordinary proficiency; others have made respectable progress, while all, or nearly all have exhibited a disposition to make good use of the opportunities with which they are favored. When the difficulties under which they at present are obliged to pursue their studies are considered, it must be perceived that they estimate their privileges highly, or they would, long before this, have abandoned them. It is true, a few from time to time, have done so, but they form the exception, and not the rule. The great majority of those whose names have been entered on our books have remained under our care until their dismissal from the prison. If it be, as we think it is, an object to *reform*, as well as to *punish* convicts during their incarceration, every means conducive to this should be employed.

And what we may ask, will be more likely to produce so desirable a result, than honest and judicious endeavors to enlighten their minds?

Man is a thinking being, and whether he wishes it or not, his thoughts are continually active. It is therefore important that their thoughts be directed into appropriate channels, and to subjects that relate to their present and future well-being. And especially must it be important to use endeavors to this end in the case of those whose moral perceptions have been obscured by a course of sin against God and the laws of their country. It has been our object during our intercourse with them as teachers, to act upon the above-named principles; and we have endeavored, in connection with our duty of instructing them in those branches of knowledge which we are required to teach, to impress upon them the propriety, as well as necessity of yielding a prompt and willing obedience to all the rules of the prison while suffering the penalty of their crimes, and also after their liberation the same obedience to the laws of the State; inculcating the doctrine that without a rigid observance of the laws and regulations of society, there can be no honor, safety, or peace. Permit us to offer a few suggestions in relation to some improvements that perhaps might be made, and which our experience has led us to believe would greatly facilitate the progress and enhance the comforts of those committed to our care.

A very general complaint among the convicts is, that the arithmetic in use, being without answers to the examples, is illy adapted to their wants. We think the objection well founded, and would recommend, if thought practicable, that it be exchanged for a different one. We have reason to believe, that an exchange might be effected with the publishers of Ray's arithmetic, which we consider well adapted to their necessities, at a trifling advance.

The transition from the spelling book to the Bible, or library book, is rather too abrupt—something intermediate seems to be called for; and we know of nothing more suitable than "McGuffie's Second Reader." It is made up of a series of interesting, moral pieces, written in easy and familiar language, and we think

admirably calculated, not only to promote their progress in reading, but also to strengthen and establish them in moral principles. In respect to the time they have for study in their cells, we beg leave to observe, that in the fall and winter months, it is hardly worth mentioning. There are a few whose cells are contiguous to the lamps, whose opportunities for study are of course good, and we have no doubt that if a sufficient number of lamps could be afforded to accommodate all, it would tend to produce the most happy effects. We believe it is the practice in most of the contract shops, to require the men to perform a certain amount of labor, after which they are at liberty to study.

It is common for them to finish their work by two or three o'clock P. M. Hence it will be seen that they have considerable time at their disposal, and it has occurred to us, that if the salary of the teachers could be raised, so that they could afford to spend their whole time at the institution, and thus have the opportunity of turning to account the time which the convicts have at their disposal, it would be productive of the most desirable results. It would give the teachers an opportunity, to some extent, of classifying those of equal attainments, and thus rendering their labors more efficient than they are or can be under the present system.

We have the honor to be, very respectfully,

Your obedient servants,

N. J. GREENE,
BENJ. KELLOGG.

Sing Sing, Dec. 1, 1851.

TABLE I.

Whole number of convicts in the male prison,..... 755
do do female do 75

Number of convicts, male, white,..... 610
do do colored,..... 145
— 755

Number of convicts, female, white,..... 61
do do colored, 14
— 75

<i>Nativity.</i>	<i>Males.</i>	<i>Females.</i>
Natives of the United States, white,.....	261	18
do do colored,.....	143	13
Foreigners, white,.....	349	43
do colored,.....	2	1
	<u>755</u>	<u>75</u>

	<i>Males.</i>		<i>Females.</i>	
	White.	Colored.	White.	Colored.
Natives of England,.....	49	....	1	....
Ireland,.....	170	....	36	....
Scotland,.....	8	....	....	....
Wales,.....	2	....	....	....
Germany,.....	71	....	2	....
Holland,.....	2	....	....	....
Belgium,.....	1	....	....	....
Prussia,.....	5	....	....	....
France,.....	9	....	2	....
Spain,.....	2	....	....	....
Italy,.....	11	....	....	....
South America,.....	1	....	....	....
West Indies,.....	3	2	....	....
Nova Scotia,.....	2	....	....	1
Canada,.....	11	....	2	....
Born at sea,.....	2	....	....	....
	<u>349</u>	<u>2</u>	<u>43</u>	<u>1</u>

TABLE II.

Counties where convicted.

	Males.	Females.
Albany,.....	22	....
Columbia,.....	12	....
Clinton,.....	1	....
Chenango,.....	....	1
Dutchess,.....	18	....
Delaware,.....	1	....
Essex,.....	2	....
Erie,.....	....	12
Fulton,.....	1	....
Greene,.....	7	1
Jefferson,.....	2	....
Kings,.....	95	5
Montgomery,.....	1	....
Monroe,.....	....	5
New-York,.....	514	32
Oneida,.....	1	1
Onondaga,.....	....	4
Orange,.....	22	3
Orleans,.....	1	....
Ontario,.....	....	1
Putnam,.....	3	....
Queens,.....	12	3
Rockland,.....	5	....
Richmond,.....	1	....
Rensselaer,.....	7	1
Schenectady,.....	1	1
Schoharie,.....	....	1
Steuben,.....	1	....
Suffolk,.....	4	....
St. Lawrence,.....	2	1
Sullivan,.....	1	....
Saratoga,.....	....	1
Seneca,.....	....	1
Tompkins,.....	....	1

	Males.	Females.
Ulster,.....	1	
Washington,.....	2	
Westchester,.....	15	
	<u>755</u>	<u>75</u>

TABLE III.—Crimes.

	Males.	Females.
Against the person,.....	132	10
Against property,.....	615	65
Against person and property,.....	8	
	<u>755</u>	<u>75</u>

Against the person.

	Males.	Females.
Murder,.....	6	
Manslaughter,.....	24	1
Poisoning,.....	2	1
Attempt to poison,.....		1
Mayhem,.....	3	
Assault to kill,.....	40	1
" " rape,.....	7	1
Rape,.....	13	
Assault to maim,.....	1	
Shooting to kill,.....	1	
Mutiny,.....	9	
Assault with slung shot,.....	2	
Carrying " ".....	3	
Incest,.....	2	
Sodomy,.....	1	
Seduction,.....	1	
Bigamy,.....	12	2
Perjury,.....	5	1
Abduction,.....		2
	<u>132</u>	<u>10</u>

Against property.

	Males.	Females.
Grand larceny,.....	307	34
Larceny at sea,	2	
Burglary,.....	164	6
Robbery,.....	42	1
Forgery,	36	4
Receiving stolen goods,.....	7	2
Petty larceny, 2d, 3d offences,.....	39	14
Falsepretences,.....	3	
Counterfeiting,.....	4	1
Uttering counterfeit money,....	3	1
Arson,.....	7	2
Breaking jail,.....	1	
	<u>615</u>	<u>65</u>

Against person and property.

Burglary and attempt to shoot,....	2
Rape, burglary and robbery,.....	2
Burglary and assault to kill,.....	2
Assault to rob,.....	2
	<u>8</u>

TABLE IV. Occupation.

Mechanics.	Males.	Females.
Bakers,	7	
Basket makers,.....	2	1
Blacksmiths,	13	
Cigar makers,.....	3	
Carpenters,.....	24	
Coopers,.....	15	
Dyers,.....	2	
Dressmakers,		6
Engraver,	1	
Engineers,	4	
Hemp dresser,	1	
Hatters,.....	4	
Hat trimmers,		1

Mechanics.	Males.	Females.
Harness makers,.....	2	
Moulders,.....	3	
Mason and stone cutters,.....	24	
Machinists,.....	7	
Nail makers,.....	2	
Painters,.....	4	
Printers,.....	3	
Piano makers,.....	5	
Rope makers,.....	3	
Sadlers,.....	4	
Shoemakers,...	18	
Spinners,.....		1
Tailors,.....	27	
Tailloresses,.....		2
Tobacconists,.....	3	
Tinners,.....	5	
Tanners,.....	2	
Wheelrights,.....	4	
Weavers,.....	7	
	<hr/>	<hr/>
	199	11

Miscellaneous.	Males.	Females.
Bar tenders,.....	16	
Butchers,.....	11	
Barbers,.....	7	
Cooks,.....	9	1
Clerks,.....	13	
Chemist,.....	1	
Daguerrean,.....	1	
Farmers,.....	40	
Grocer, ..		1
Gardeners,.....	3	
House-keepers,.....		17
Laborers,.....	295	
Lawyers,.....	2	
Merchants,.....	18	
Musicians,.....	3	
Preacher,.....	1	

Miscellaneous.	Males.	Females.
Pedlars,	13	
Physicians,.....	2	
Servants,.....	17	35
Sweeps,.....	3	
Sailors and boatmen,.....	57	
Soldiers,	10	
Surgeon,.....	1	
Teachers,	3	
No occupation,.....	30	
	<hr/> 556	<hr/> 64
Mechanics,.....	199	11
Miscellaneous,.....	556	64
	<hr/> 755	<hr/> 75
	<hr/> <hr/>	<hr/> <hr/>

TABLE V.
Ages when convicted.
White.

	Males.	Females.
16 and less than 20,.....	132	9
20 " 30,.....	287	33
30 " 40,.....	131	18
40 " 50,.....	29	
50 and over,.....	31	1
	<hr/> 610	<hr/> 61
	<hr/> <hr/>	<hr/> <hr/>

	Males.	Females.
16 and less than 20,.....	19	2
20 " 30,.....	41	10
30 " 40,.....	57	8
40 " 50,.....	17	
50 and over,.....	11	
	<hr/> 145	<hr/> 14
	<hr/> <hr/>	<hr/> <hr/>

TABLE VI.

Degree of Instruction.

[From Register since 1848.]

	Males.	Females.
Classical,	8	
Well educated,	37	1
Read and write,	290	21
Read only,	170	31
Cannot read,	90	22
	<hr/>	<hr/>
	595	75
	<hr/>	<hr/>

TABLE VII.

Habits of life.

[From Register since 1848.]

Total abstinent,	248	40
Moderate drinkers,	97	
Intemperate,	250	35
	<hr/>	<hr/>
	595	75
	<hr/>	<hr/>

TABLE VIII.

Whether employed or not.

[From register since 1848.]

Employed when arrested,	290	35
Not employed do	305	40
	<hr/>	<hr/>
	595	75
	<hr/>	<hr/>

TABLE IX.

Terms of sentence.

Less than 2 years,	8	1
For 2 and less than 3 years,	248	44
3 do 4 do	80	11
4 do 5 do	49	9
5 do 6 do	125	11
6 do 7 do	8	1
7 do 8 do	27	1
8 do 9 do	6	

	Males.	Females.
For 9 and less than 10 years,	4	
10 do 11 do	104	4
11 do 12 do	4	
12 do 15 do	17	
15 do 20 do	13	
20 do 25 do	12	
25 years,	1	
life,	17	
life and 10 years,	1	
	<u>755</u>	<u>75</u>

TABLE X.
Social relations.

Females—Single,	38
Married 28	} 28
Mothers 26	
Widows,	9
	<u>75</u>

	Moth.	Child.
Having one child,	8	8
two children,	4	8
three do	10	30
four do	2	8
five do	2	10
	<u>26</u>	<u>64</u>

MATRON'S REPORT.

FEMALE CONVICT PRISON, }
Sing Sing, Dec. 1st, 1851. }

To the Inspectors of State Prisons:

Gentlemen—At the close of another year I take pleasure in being able to communicate that the convicts under my charge have enjoyed a usual degree of health; that good order has generally prevailed in the prison, and that the industry manifested in the prosecution of their labor, and the improvement made in our Bible classes, and in the attainment of a primary education, will compare favorably with the results of any preceding year.

On the 1st of December, 1850, there were remaining here, 71 convicts, and there have since been received 38, making a total of 109. Of these 29 have been discharged by expiration of sentence, one by pardon, one was transferred to the lunatic asylum, and three have died, leaving 75 in prison at this date.

Of those now in prison, 16 white and 12 colored, are natives of the United States, 38 are natives of Ireland, 3 of Germany, 1 of England, 2 of France, and 3 of Canada. There are 17 under 20 years of age, 38 between 20 and 30, 19 between 30 and 40, and one above 50.

They were convicted in the following counties: New-York, 32; Erie, 11; Kings, 6; Monroe, 5; Onondaga, 4; Queens, 3; Orange, 3, and Oneida, Schoharie, Rensselaer, St. Lawrence, Seneca, Greene, Schenectaday, Chemung, Saratoga, Ontario, and Tompkins, one each.

Of those now in prison, three only are sentenced upon second conviction; 23 could read and write indifferently, 31 could read

only, and 21 had received no instruction whatever. Thirty admit that they have been intemperate in their habits; 41 have been married, and 34 are single.

The terms of sentence under which they are severally committed are as follows:

For 1 year and under 2 years,	1
2 do do 3 do	43
3 do do 4 do	11
4 do do 5 do	4
5 do do 6 do	10
6 do do 7 do	1
7 do do 8 do	1
10 do do 11 do	4

At this time there are 55 engaged in trimming hats, 5 making clothing for convicts, 14 as cooks, washers and waiters, and one as hospital nurse.

The business of trimming and binding hats, has proved to be one of great benefit to the prison, not only in a pecuniary point of view, but also in promoting contentment and good order among the convicts. Although there has not been enough of this kind of work to furnish constant employment for all those engaged, yet their earnings amount to \$3,585.29, which is nearly a thousand dollars larger than the contract earnings of any previous year. To this sum should be added the product of the labor of those engaged in making bedding and clothing for the male prison, which cannot be less than \$600, making the sum total of our prison earnings exceed \$4,000.00. This favorable result of prison labor, is owing more to the fact that the employment has been of a nature suitable to the tastes and acquirements of females, than to severe or extra application.

During the year past, three convicts have died in this prison: Mary Bogart was received here from the city of New York, on the 23d of April, 1849, in a very bad state of health. Under the treatment of the physician, she subsequently improved, but her constitution appeared to be fatally impaired, and the erysipelas finally terminated her life on the 9th of April last. Julia Barto,

a colored woman, from New York, was received at the prison in Sept., 1848, also in bad health, which assumed the form of consumption, and terminated her life on the 10th of July last. Maria Smith, of New York, was received here the 15th of August, 1849, in good health, which she maintained until attacked with the dysentery, during its prevalence last summer, which assumed a very malignant and unyielding form, and finally terminated fatally on the 9th of August last.

These convicts received every attention and all the medical aid which their situation required, but the physical condition of the two former was such when they entered the prison, that they were then probably beyond the reach of sanitary treatment. The latter enjoyed good health up to the period of her attack. She had conducted herself with strict propriety, and I regarded her not only as a good convict, but as one possessing more intelligence, and a greater degree of sensibility than is often found among her companions. To the mental agony which she suffered in view of her detention here, and the fearful prospect of a prison death, I imputed the rapid course of her disease and the failure to arrest it by medical treatment.

During the year, I have been called upon to impose forty-three punishments for infractions of rules. These, for the most part, have consisted in locking them in their own cells, sometimes in a dark cell or solitary ward, or substituting bread and water for the ordinary food. On some occasions we have been compelled to resort to the straight-jacket, when the violence of the convict became dangerous to those around her. This branch of my duties is by far the most difficult and unpleasant, calling for the exercise of patience and forbearance towards those whose errors appear to be the result of ignorance and habit, rather than depravity or design; at the same time, a strict observance of every necessary rule must be implicitly enforced, in order to maintain that degree of discipline upon which the welfare of the convicts and the safety of the prison almost entirely depend.

When we consider that these convicts are, for the most part, composed of a class of persons who have been reared in vice, and hitherto unrestrained by any moral influence, a correct deport-

ment, or a willing obedience to authority, cannot always be expected ; yet, it is due to them to say, (and I consider it a redeeming feature,) that with a few exceptions, I have found them disposed to yield cheerfully, and in many cases manifesting a desire to win the approbation of their officers by good conduct, and to reform their lives by improving the means for instruction so liberally provided by the State.

Mrs. Harriet Spencer, the teacher employed by you, has faithfully performed her duty, and under her instruction, many who came here ignorant of letters, are now able to read with facility ; others are learning to write, and are devoting their hours of study to these primary branches. The institution of a school among these women, produces a beneficial influence upon their conduct ; and, were there no advantages to result from it in the improvement of their morals when they leave the prison, the benefit which it exerts here more than compensates for the trouble and expense. When I meet convicts in our Sunday school, however, who have been taught to read in prison, and who are seeking bible knowledge with apparent sincerity, I cannot but indulge the hope that their prison acquirements will prove a lasting benefit, and some of them at least will improve them for their future and everlasting welfare.

For more particular details in relation to the progress of education, I would refer you to the report of the chaplain.

Our Sunday school has been continued with evident advantage to many who have taken part in its exercises : aided by the ladies associated with me in the management of the prison, I have been enabled to include all the convicts in the various classes, and in hearing the lessons, and in giving the necessary explanations, our Sabbath mornings are spent in an interesting and useful manner.

During the past year a change of chaplain introduced a change of the form of chapel service, and that of the Episcopal church, which is now in use, has excited a new interest among the convicts, and with many commands earnest attention.

Among those who were discharged during the past year, there were some who left us with the well-grounded hope that their

imprisonment had produced a favorable change in their feelings and deportment, and that with proper encouragement from those who should take an interest in their welfare, a perfect reformation might be relied upon. It is to be feared however, that too many even of this class, oppressed by the degradation incident to public conviction and imprisonment, too readily seek the society of their former associates, amid the haunts of infamy and vice. I know of no means by which this demoralizing evil can be counteracted, except the well-directed efforts of the philanthropic; who, under the aid of Providence, have already accomplished much in rescuing this class of their fellow creatures from inevitable despair.

Although there are many things connected with the management of the prison, calculated to render the situation embarrassing and unpleasant, yet a practical experience in the various duties pertaining to the office, renders their performance less difficult, and enables me to discriminate with a greater degree of certainty among those under my charge. It has been my object to enforce discipline with the least possible approach at coercion, believing that the measures which produce voluntary submission, are the most likely to prove efficacious by enlisting the better feelings of those they are designed to control.

Trusting that my exertions to promote the welfare of the convicts and the best interests of the State, have met your approbation, and that my feeble abilities may not have been found wholly inadequate to the performance of the various duties which your favor and confidence have assigned me, I remain, with many thanks for your kindness and advice,

Your obedient servant,

A. M. DODGE.

DOCUMENTS
IN RELATION TO CLINTON PRISON.

AGENT'S REPORT.

CLINTON STATE PRISON, *Dec, 1, 1851.*

To the Inspectors of State Prisons:

Gentlemen—In pursuance of the requirements of the statute, I respectfully submit the following report of the financial affairs of this prison for the year ending the 30th September, 1851, and of the police department, and general condition of the prison, to the present time.

I assumed the charge of the prison on the 22d day of July last, and the statistics contained in this report, are derived from the prison books, for the period the institution was under the control of my predecessor, and from my own knowledge and observation, since it came into my hands.

Upon an examination of the account current, herewith submitted, you will perceive that the receipts of the prison from all sources, for the past year, were \$25,864.10 ; and the amount paid for current expenses during the same period, was \$25,958.13.

The earnings of the prison from convict labor during the year are as follows :

For amount received, and now due for separated ore raised from the Averill mine,	\$10,771 08
For amount received, and now due for separated ore raised from the State mine,	263 23
For amount received from machine shop,	554 84
For separated ore on hand Sept. 30, 1851,	6,000 00
For hay, grain, and vegetables raised on prison farm,	1,050 00
For lumber manufactured, sold, and used upon buildings in prison,	2,000 00

For convict labor on buildings, repairs and machinery,	3,500 00
For convict labor cutting and drawing saw-logs, ..	250 00
For convict labor on highway, for tax on Averill mine,	77 00
For convict labor building sewer below prison yard,	50 00
Total earnings,	<u>\$24,516 65</u>

From the above sum of \$24,516.65, is to be deducted the amount paid to the owners of the Averill mine for ore, and for powder for blasting, for wood, coal, and the use of teams and tools. Allowing for these various items of expenditure the sum of \$4,500, it leaves a balance of \$20,016.65, as the nett amount of the earnings of the convicts for the year. Besides the labor performed by convicts above referred to, the necessary number of men have been employed as waiters, cooks, washers, tailors and shoemakers, of whose labor no estimate has been made.

Upon referring to the last annual report made by my predecessor, it will be seen that the amount received for sales of ore during the past year, falls short of the sales for the previous year, in the sum of \$1,623.81. This difference arises in consequence of the reduced price of ore, rendered necessary by the continued depressed state of the iron market, and the difficulty of meeting a ready sale at remunerating prices, in view of the embarrassments under which the iron interests of the country is at present suffering. Previous to the first of August, 1850, separated ore had commanded the price of \$4 per ton, which was subsequently reduced to \$3.50, and finally to \$3 on the first day of October, 1850, at which latter price the ore has been disposed of since the period last above referred to. Had the price of ore continued the same as at the first period of reduction, the amount produced from the mine during the past year, including the amount unsold, would have realized the sum of about \$22,000.

The convict labor on repairs, buildings and machinery, is estimated at fifty cents per day, which is less than the average of

earnings at this prison, and is far less than the same labor could have been procured from citizens engaged in the same branches of business.

The average number of convicts in the prison during the year ending September 30th, 1851, was 114, and the number of working days in which they were employed was 310. The average earnings of each convict for the year is \$215.05, or about 69 cents per day.

These facts show a gratifying increase in the earnings of the convicts, and the gradual development of the resources of the prison, justifying the expectation that under favorable circumstances it will eventually be able to maintain itself without aid from the treasury of the State.

During the past year several valuable and permanent improvements have been made within the prison enclosure, embracing a steam saw mill, a farm barn, and other necessary buildings and erections.

The saw mill is a substantial frame building, fifty feet wide by sixty feet long, and is furnished with one English gate, of two or more saws, and one stock gang of twenty-four saws, for sawing plank, capable of being increased to forty-two, for sawing siding and other thin lumber. The machinery is propelled by a new steam engine of thirty horse power, and the whole is now in successful operation.

The mill was erected by convict labor, with the exception of two men employed to superintend the work, and aid in its construction. All the timber and lumber has been procured from the State lands, and manufactured at the old mills in the prison yard, by convicts. The engine was also constructed by convicts in the machine shop, with the aid and under the direction of Mr. Burdick, their keeper, who is a practical mechanic and machinist, and the amount actually paid out for materials, does not exceed one hundred and fifty dollars. A property has thus been erected, worth to the State nearly the sum of \$6,000, and for which only about \$1,800 has been expended beyond the labor of the convicts.

Many advantages are anticipated from the completion and successful operation of this mill, and it will, undoubtedly, during the coming year, prove a source of large income and profit to the State.

Under the advice of the Inspectors, I am now proceeding to stock the mill, with logs from the State lands, and intend as soon as the same can be conveniently accomplished, to put in a set of saws for the manufacture of lath from the slabs.

The raising and separating of ore continues to be regularly carried on, as the legitimate business of the prison.

Upon assuming the charge of the prison, I found a large quantity of ore at the State mine, which had been raised previous to the winter of 1848, and which was estimated sufficient for 2,000 tons of separated ore. Under the advice of the Inspectors in charge, I have caused a set of elevators to be erected, for the purpose of raising the above ore from the State mine, and to be separated and prepared for market. This ore, when separated, commands a higher price than the separated ore from the Averill mine.

Considerable embarrassment is experienced from the want of a sufficient number of men to prosecute successfully the various branches of business now in operation. For this reason I am unable to work both mines and the separator at the same time, so that operations are almost entirely suspended at the one, while engaged at the other. From forty to sixty men are required for immediate use, in order to avail myself to advantage of the facilities we now have for prosecuting the business of the prison. With the additional aid required, the income of the prison would be largely increased, and in a ratio far greater than is now realized with the present number of men.

Under the advice of the Inspectors, I am now engaged in preparing to erect six forge fires, for the manufacture of iron, and shall prosecute the same to completion as fast as the materials can be procured, and the state of the weather will admit.

This matter has received the especial attention of the Inspector in charge, during the past year, who has diligently prosecuted his investigations, and made the proper estimates, with a view to determine the policy proper to be pursued. At his suggestion and with his assistance, I have made the necessary examination in relation to the facilities afforded by the present structures in the prison inclosure, and the machinery now available for this purpose, and I find that the whole arrangement can be carried out with a comparatively trifling expense.

I propose to occupy for this purpose the large stone building erected west of the separator for an ore and coal house, but which is now unoccupied, and has been found on examination to be suitable for the purpose. It is a strong, substantial building, sixty-eight feet long and fifty feet wide, furnishing ample room for six fires, and the necessary machinery to operate the same. When this arrangement shall have been completed, an additional force of about thirty men will be necessary. Twenty-one men will be required to attend the fires, and ten more for waiters and taking care of and supplying coal. I regard this as an advantageous arrangement to the success of the prison, believing it important to incorporate as much of the labor of convicts as possible with the articles prepared for the market.

In addition to the foregoing considerations, it seems to have been the intention of the Legislature in establishing this prison, to employ the convicts in the *making* and *manufacture* of iron, and this intension appears to have been kept steadily in view, and expressed in all the acts making appropriations for its completion and support. Good faith towards the State therefore seems to require that the experiment should be faithfully and fairly tried, and I trust the Legislature may be induced, at its coming session, to provide the necessary and adequate means.

To this end I beg leave to suggest for consideration the propriety of a specific appropriation for the erection of a blast furnace, for the manufacture of pig iron. The sum of \$20,000 would, in my judgment, be sufficient for this purpose, and I have no hesitation in asserting the opinion, that it would be found a pro-

fitable investment, and in the end justify the policy of the establishment and maintenance of a public prison at this point.

The plank road, heretofore authorized by the Legislature, leading from this prison to intersect the plank road from Plattsburgh to Saranac Hollow has been completed, and in use for the past year. Experience has demonstrated the great convenience and value of this improvement, by furnishing an easy access to market for the productions of the prison, and relieving the communication with it, from the difficulty presented by an almost impassable road. Without the plank road, the manufacture of lumber, beyond the amount necessary for prison use, could not have been profitably carried on, and the value of ore separated from the mine, would have been materially lessened by the enhanced expense of transporting it to market.

Last year the Legislature appropriated \$12,000 for general support, and current expenses incidental to the prison, which sum was drawn and disbursed by my predecessor in office. The further sum of \$8,000 was also appropriated to pay the indebtedness of the prison which had accrued previous to October 1st, 1850. This appropriation was not made until the 20th of June last; previous to which time, my predecessor had paid and discharged from the resources of the prison, about \$5,000 of said indebtedness. This was deemed necessary and indispensable from the nature of the demand, a large portion thereof being due for supplies necessary for the support of the convicts, and the maintenance of the prison. Upon the passage of the appropriation, it was found encumbered with a provision, which rendered it wholly unavailable for the amount so paid by the agent, previous to its passage. The sum of \$5,000, therefore, of the last mentioned appropriation remains still in the treasury, and cannot be realized without the further action of the Legislature.

After making a careful examination of the present fiscal condition of the prison, and an estimate of the probable receipts from the sales of ore and lumber, I find that an appropriation of \$25,000 will be necessary to meet the demands against the prison and provide for its support during the year.

If the Legislature, at its coming session, will pass an act transferring to the prison fund the balance of the appropriation now remaining in the treasury, of about \$5,000, and which is unavailable as above stated, the amount requisite for discharging the indebtedness of the prison, will be only \$7,000 instead of \$12,000 as hereinafter estimated.

The whole appropriation will be required for the following purposes :

Indebtedness of the prison on the 1st of Oct., 1851,	\$12,000 .00
Current expenses and suppor for the present year,.	13,000 00
Total,	<u>\$25,000 00</u>

The average cost of rations per day during the year ending November 30th, was 8½ cents.

The average number of convicts during the year ending September 30th, was 114. The number of convicts remaining in prison on the 1st day of December, 1850, was 114. The number remaining in prison on the 1st day of December, 1851, was 113, showing a decrease of one during the year.

Those remaining in prison were convicted of the following crimes :

Burglary and larceny,	8
Breaking jail,	1
Aiding prisoners to escape,	1
Grand larceny,	29
Forgery and counterfeiting,	1
Forgery,	5
Bigamy,	1
Obtaining money under false pretences,	2
Forgery, 3d degree,	1
Attempt to ravish,	3
Petit larceny, 2d offence,	6
Burglary,	13
Burglary, 3d degree, and petit larceny,	1
Petit larceny after felony,	1
Assault and battery intent to commit rape,	3

Attempt to rescue from a public officer,.....	4
Assault and battery with intent to kill,.....	10
Burglary, 1st degree,	2
Burglary, 3d degree,.....	2
Perjury,	2
Manslaughter, 2d degree,.....	2
Arson,.....	4
Manslaughter, 3d degree,.....	2
Passing counterfeit money,.....	4
Robbery,	4
Murder,.....	1
Total,	<u>113</u>

The number of convicts remaining in prison on the 1st day of January, 1848, was.....	146
The number of convicts received at the prison since the 1st day of January 1848, was.....	<u>213</u>
	359

During the same period the following number were discharged as follows :

By expiration of sentence,.....	137
By pardon,.....	28
By death,	11
By removal to Lunatic Asylum,.....	2
By escapes,.....	6
By removal to Sing Sing and Auburn,.....	62
	<u>246</u>
Leaving remaining in prison December 1, 1851,...	<u>113</u>

The number of punishments which have been inflicted during the year just closed, is forty-seven, which were of the following description :

Shower bath,	39
Solitary confinement on bread and water,	6
Ball and chain,.....	2
Total,	<u>47</u>

The reports of the chaplain and physician are herewith submitted, and to which you are respectfully referred for statements relative to the moral and religious instruction, and the general health of the convicts.

In conclusion, gentlemen, I submit the foregoing statements, with my sincere acknowledgments to you for the uniform kindness and courtesy which has characterized all your official and social intercourse with me.

I am, very respectfully,

Your obedient servant,

JOHN L. BARNES.

DR. ISAAC N. COMSTOCK, *Agent of Clinton State Prison, in account current with the State of New-York, from Oct. 1, 1850, to July 22, 1851, inclusive, being the termination of his agency.*

1851.

Dr.

July 22.	To cash received of State Treasurer, being the balance in his hands of appropriation of \$20,000 for 1850,	\$1,500 00
do	do State Treasurer on appropriation of \$12,000 for 1851,	10,619 98
do	do sundries,	1,176 26
do	do machine shop,	554 65
do	do visitors,	88 25
do	do convicts' deposits, ..	17 34
do	do Averill mine and State ore,	9,845 82
do	do interest,	7 00
	To balance carried forward,	18 49
		<hr/>
		\$23,327 79
		<hr/>

1850.		Cr.	
October 1.	By balance from last years' account brought forward,.....		\$126 42
1851.			
July 22.	By cash paid for buildings and repairs,.		710 12
	do	do stock and tools,	203 53
	do	do rations,	522 71
	do	do clothing and bedding,.	1,407 64
	do	do fuel and lights,	13 25
	do	do hospital and medicines,	18 71
	do	do discharge of convicts,.	227 24
	do	do postage and printing, .	126 73
	do	do salaries of officers,....	5,005 72
	do	do pay of guards,.....	6,801 36
	do	do teams and keeping,...	590 73
	do	do expenses of agent,....	145 97
	do	do storage and freightage,	186 62
	do	do miscellaneous,	606 36
	do	do machinery,.....	866 86
	do	do Averill mine,.....	930 53
	do	do plank road,	4,787 14
	do	do saw mill and logs,....	550 15
			<hr/> \$23,827 79 <hr/>
1851.	July 22.	By balance brought forward, ...	<hr/> 18 49 <hr/>

JOHN. L BARNES, *Agent of Clinton State Prison, in account current with the State of New-York, from July 22, 1851, to September 30, 1851, inclusive.*

1851.		Dr.	
Sept. 30.	To cash received from State Treasurer, being the balance in his hands of appropriation of \$12,000 for 1851,.....		\$1,380 82
	do	do sundries,	5 10
	do	do machine shop & furnace,	19
	do	do visitors,	19 50

To cash received from convict depo'ts,	\$00 49
do do Averill mine &	
State ore, ...	649 50
By balance carried forward,	220 45
	<hr/>
	\$2,275 25
	<hr/>

1851.

Cr.

July 22.	By balance due I. N. Comstock, late agent,	\$18 49
Sept. 30.	By cash paid for buildings and repairs, ..	1 61
	do do stock and tools,	22 48
	do do rations,	1,630 26
	do do clothing and bedding,...	80 00
	do do hospital and medicines,...	1 00
	do do discharge of convicts, ...	56 92
	do do postage and stationery, ..	19 86
	do do salaries of officers,	241 00
	do do pay of guards,	29 05
	do do teams and keeping,	63 13
	do do miscellaneous,	68 86
	do do Averill mine,	42 59
		<hr/>
		\$2,275 25
		<hr/>

1851. Oct. 1. By balance due John L. Barnes, late agt., \$220 45

STATEMENT

Exhibiting the total amount of cash received by Isaac N. Comstock and John L. Barnes, agents of Clinton prison, from all sources, during the year ending Sept. 30th, 1851.

Cash received from State Treasurer, being the balance in his hands of appropriation of \$20,- 000 for 1850,	}	\$1,500 00
do do State Treasurer, being the amount of appropriation of 1851		
do do sundries,		1,181 36
do do machine shop,		554 84

Cash received from visitors,.....	107 78
do do convicts' deposits,.....	17 83
do do Averill mine and State ore,..	10,495 32
do do interest account,.....	7 00
	<hr/>
	\$25,864 10
	<hr/>

STATEMENT

Exhibiting the total amount of cash expended by Isaac N. Comstock and John L. Barnes, agents of Clinton prison, for general support of the same, erection of buildings, &c., during the fiscal year ending September 30th, 1851.

Cash expended for buildings and repairs,.....	\$711 73
do do stock and tools,.....	226 01
do do rations,.....	2,152 97
do do clothing and bedding,.....	1,487 64
do do fuel and lights,	13 25
do do hospital and medicines.....	19 71
do do discharge of convicts,.....	284 16
do do postage and printing, &c.....	146 39
do do salaries of officers,.....	5,246 72
do do pay of guards,.....	6,830 41
do do teams and keeping,.....	653 86
do do expenses of agent,.....	145 97
do do storage and freightage,....	186 62
do do miscellaneous,.....	675 22
do do machinery,.....	866 86
do do Averill mine,.....	973 12
do do plank road,.....	4,787 14
do do saw mill and logs,.....	550 15
	<hr/>
	\$25,958 13
	<hr/>

CLINTON STATE PRISON, }
November 1, 1851. }

To the Board of Inspectors :

The agent respectfully reports, that the following is a true statement of the moneys received and expended for the general support, &c., of said prison during the month ending October 31, 1850, as appears by the books of said prison.

Cash received this month as follows :

Sundries.

Oct. 31. Timber sold Peabody & Ames, &c.,.....	\$456 39
--	----------

Visitors.

Forty-six persons,.....	11 50
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Averill ore bed.

Jackson, Morgan & Co., ore,.	\$348 90	
Hart, Bailey & Co.,	" 189 23	
Spaulding & Son,	" 147 05	
Hewitt, Stoddard & Platt,	" 416 70	
Geo. H. Parsons,	" 284 27	
	<hr/>	1,386 15

Interest account.

Jackson & Morgan, interest,..	\$0 94	
Hart, Bailey & Co.,	" .. 94	
Spaulding & Son,	" .. 1 03	
G. H. Parsons,	" .. 91	
	<hr/>	3 82

Appropriation.

State Treasurer, on appropriation,.....	1,500 00
	<hr/>
	\$3,358 06
	<hr/> <hr/>

Cash expended for general support, &c. :

By balance brought forward from last year's account,.....	\$126 42
---	----------

Buildings and repairs.

Wm. Munsig's bill, lead pipe,.....	25 00
------------------------------------	-------

Rations.

H. H. Everest, 2,772 lbs. Gra-		
ham flour,	\$76 23	
Monthly pay roll, for beef and		
peas,	78 92	
	<hr/>	155 15

Clothing and bedding.

Grange Sard, clothing for dis-		
charged convicts,	50 75	
Friend Humphrey, 109 sides		
leather,	311 50	
Monthly pay roll, socks, and		
deer-skins for mittens,	58 99	
	<hr/>	421 24

Hospital and medicines.

Monthly pay roll, per George		
Dodds, 350 crackers,		1 50

Discharge of convicts.

Charles Bunker, Franklin co.,	3 50	
Peter Snyder, Montgomery, co.,	7 62	
John Gally, Clinton co.,	3 00	
Zagar String Zing, Rensselaer		
co.,	5 25	
Jas. H. Gardner, Rensselaer co,	5 25	
John McDonald, do	5 25	
John Fleming, Albany co., ..	5 40	
Hiram Lamb, Sullivan co., .	8 70	
Sullivan Worden, Schenectady		
co.,	11 52	
Stephen H. Craft, Onon'ga co.,	8 70	
John H. Price, Rensselaer co.,	5 25	
	<hr/>	69 44

Postage and stationery.

James Henry Gilson, 1 quar-		
ter's postage,	15 55	
James Henry, bill stationery, .	41 51	
	<hr/>	57 06

Teams and keeping.

Monthly pay roll, expenses of team,		2 00
--	--	------

Miscellaneous.

D. B. McNiel, administering oath to clerk,.....	13	
Sam'l Shaw, surveying west line No. 10.,.....	4 50	
Monthly pay roll, convicts' deposite refunded, &c.,.....	7 41	
		12 04

Machinery.

Pruyn, Vosburgh & Co., bill of zinc, wire, steel, &c., &c.,	289 89	
Manning & Howland, 39½ feet plain packing,.....	19 88	
		300 77

Plank road.

St. John B. L. Skinner, 17½ saw logs,.....	11 53	
Sam'l Shaw, 4 days locating plank road,	12 00	
Monthly pay roll, 134½½ plank road logs,	84 23	
		107 76
Balance,		2,070 68

\$3,358 06

STATE OF NEW-YORK, } ss:
Clinton county, }

John L. Barnes, agent, and E. P. Marble, clerk, of the Clinton State prison, being duly sworn, depose and say that the foregoing account is correct and true according to the best of their knowledge and belief.

JNO. L. BARNES, *Agent.*
E. P. MARBLE, *Clerk.*

Subscribed and sworn before me this }
17th day of December, 1851. }
A. SCRIBNER, *Justice of the Peace.*

CLINTON STATE PRISON }
December 1, 1850. }

To the Board of Inspectors:

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support, &c., of said prison during the month ending Nov. 1850, according to the books thereof.

Nov. 1. To balance from last month's ac-

brought forward, \$2,070 68

Cash received this month as follows:

Sundries.

30. Tin pans and salt sold, 1 24

Convicts' deposits.

H. N. Morgan,	\$1 26	
Thomas McGuire,	15 40	
	16 66	

Averill ore bed.

Geo. Parsons, ore,	100 00	
Hewitt, Stoddard & Platt,	692 58	
Jackson & Morgan,	98 69	
	891 27	

\$2,979 85

Cash expended for general support, &c.:

Rations.

Elijah Weston, 11 bush. beans, . . .	\$13 75	
Jas. H. Gilson, 160 lbs. venison, . .	4 00	
Monthly pay roll, beef during the month,	36 82	
	54 57	

Clothing and bedding.

Moses Sangemo, 6 deer skins for mittens,	6 37	
E. Harding & Co., 1 roll filtering cards,	25	
Joseph C. Myers, 1 hat, 1 shirt, for discharged convict,	2 00	

Nov. 30. Jas. Henry Gilson, 7 deer skins for mittens,.....	6 00	
John H. Morgan, 1104 yards sat- inett,.....	\$497 03	
John H. Morgan, 1230 yards flannel,.....	430 50	
	<hr/>	927 53
Monthly pay roll, 11 deer skins,	10 68	
	<hr/>	952 78

Hospital medicines.

Monthly pay roll, paid J. Dodds, crackers,.....		1 50
--	--	------

Discharge of convicts.

John Butler, Schenectady Co.,..		5 04
---------------------------------	--	------

Teams and keeping.

Hewitt, Stoddard & Platt, shorts and oats,.....	14 83	
W. N. Morgan & Son, 33 $\frac{2}{3}$ bush. oats,.....	12 69	
	<hr/>	27 52

Miscellaneous.

Jas. H. Gilson, expenses and time while on business for the State from Feb. 5, 1848, to Jan. 1. 1850,.....	44 25	
Lyman Soper, expenses to Keese- ville	2 88	
Asa Palmer, cleaning and fenc- ing two rods and 20 rods land,	8 12	
Lyman Soper, expenses after es- caped convict,.....	50	
Monthly pay roll, expenses, ...	2 64	
	<hr/>	58 89

Averill mine.

H. & H. Matthews, 1 tin horn,		19
-------------------------------	--	----

Plank road.

Merrill & Meade, grading and planking 348 rods,.....	667 50	
---	--------	--

Nov. 30. Peter Keenan, grading and plank-		
ing 160 rods,	500 00	
Monthly pay roll, pd. for plank		
road, logs and draining,	15 14	
	<hr/>	1,182 64

Machinery.

Monthly pay roll, 3 $\frac{1}{2}$ $\frac{1}{2}$ mould-		
ing sand,		22 28
Balance,		674 85
		<hr/>
		\$2,979 85
		<hr/>

STATE OF NEW-YORK, } ss:
 Clinton county, }

John L. Barnes, agent, and E. P. Marble, clerk of the Clinton State Prison, being duly sworn, depose and say, that the foregoing account is correct, and true, according to the best of their knowledge and belief.

JOHN L. BARNES, *Agent*,
 E. P. MARBLE, *Clerk*.

Sworn to and subscribed before }
 this 17th day of Dec., 1851, }

A. SCRIBNER, *Justice of the Peace*.

CLINTON PRISON, }
 January 1, 1851. }

To the Board of Inspectors:

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support, &c., of said prison, during the month ending December 31, 1850, according to the books thereof:

Dec. 1. To balance brought forward, .	\$674 84
---------------------------------------	----------

*Cash received this month as follows:**Sundries.*

31. Nails, paper, &c., sold,	4 37
--------------------------------------	------

Visitors.

22 persons,	5 50
-----------------------	------

Averill ore-bed.

G. H. Parsons, ore,	400 00	
Hewitt, Stoddard, & Platt, ore,	649 09	
	<hr/>	1,049 09
Balance,		2,770 88
		<hr/>
		\$4,504 68
		<hr/>

Cash expended for general support, &c.:

Buildings and repairs.

Southwick & Taggard, nails and lamp black,	\$1 53	
Monthly pay roll, 500 brick, and work on guard house, ..	4 63	
	<hr/>	6 16

Stock and tools.

W. H. Morgan, one bag,		60
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Rations.

J. W. A. Turner, pepper, spice, &c.,	2 13	
Southwick & Taggard, pepper, &c.,	48	
Northern railroad co., trans- portation on 15 barrels pork, and 11 hogs,	20 08	
W. H. Morgan & son, 2½ bush. salt,	1 88	
Monthly pay roll, beef and beans,	15 16	
	<hr/>	39 73

Clothing and bedding.

Orrin Davis, expenses for straw,	2 25	
Southwick & Taggard, shirt buttons and handkerchiefs,	1 55	
W. H. Morgan & son, 10 y'ds alapaca,	3 12	
Monthly pay roll, 8 deer skins,	8 00	
	<hr/>	14 93

Fuel and lights.

W. H. Morgan & son, 3 gross lamp wicks,	3 00	
Monthly pay roll, paid L. Torrey, 2 doz. lamp wicks,	20	
	<hr/>	3 20

Hospital and medicines.

Monthly pay roll, 330 crackers		1 00
--------------------------------	--	------

Discharge of convicts.

John Delong, Washington co.,	4 80	
Dennis Mahony, Schenectady co.,	5 00	
James Wilber, Clinton co., ..	1 00	
	<hr/>	10 80

Postage and stationery.

Southwick & Taggard, slate pencils,		10
---	--	----

Salaries of officers.

Monthly pay roll of officers, October,		579 15
--	--	--------

Pay of guards.

O. T. Davis, 2 days substitute guard,	2 00	
Monthly pay roll guards, for October,	760 83	
	<hr/>	762 83

Teams and keeping.

Hewitt, Stoddard & Platt, 25½ bush. oats,	9 65	
J. W. A. Turner, 2 bush. oats,	75	
Southwick & Taggard, 2600 lbs. hay,	10 40	
Monthly pay roll, paid for hay and oats,	49 21	
	<hr/>	70 11

Miscellaneous.

Lyman Soper, expenses to Plattsburgh,	2 68	
---	------	--

Orrin Davis, 9 days dragging, &c.,.....	\$24 22	
Thos. D. Gilson, expenses to Troy and Albany,.....	17 94	
Southwick & Taggard, twine, &c.,.....	1 52	
Monthly pay roll, apples, &c., (christmas,).....	4 01	
	<hr/>	\$50 32

Plank road.

Eli Roberts, grading & plank- ing 1½ mile plank road, ...	1,608 33	
St. J. B. L. Skinner, 29 day's services as superintending the construction of pl'k r'd,	87 00	
Orrin Davis, 11 days, self and team on plank road,....	24 75	
Loring Ellis, 109,604 ft. hem- lock plank, and half draw- ing, extra,	616 15	
J. W. A. Turner, ½ day's la- bor on road,.....	50	
Southwick & Taggard, 4 days man and team,.....	9 00	
Monthly pay roll, sundry per- sons for service,.....	53 64	
	<hr/>	2,399 37

Machinery.

J. W. A. Turner, nails and lead,	89	
Southwick & Taggard, pitch,.	1 75	
Monthly pay roll, 27 days, pattern maker,	47 25	
	<hr/>	49 89

Averill mine.

A. G. Lucas, agent, 200 kegs powder,	\$475 00	
Monthly pay roll, 1 month's services as engineer,	41 60	
	<hr/>	516 60
		<hr/>
		<u>\$1,504 68</u>

STATE OF NEW-YORK, }
 Clinton county, } ss:

John L. Barnes, agent, and E. P. Marble, clerk of the Clinton State prison, being duly sworn, depose and say that the foregoing account is correct and true, according to the best of their knowledge and belief.

JNO. L. BARNES, *Agent.*

E. P. MARBLE, *Clerk.*

Sworn to before me, this 17th }
 day of November, 1851, }

A. SCRIBNER, *Justice of the Peace.*

CLINTON PRISON, }
 February 1, 1851. }

To the Board of Inspectors :

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support, &c., of said prison during the month ending January 31, 1851, according to the books thereof:

Cash received this month as follows :

Sundries.

1851.

January 31, leather, paint, &c., sold,	\$0 97
--	--------

Visitors.

24 persons,	6 00
-------------------	------

Averill ore beds.

Hewitt, Stoddard & Platt, ore,	\$401 62	
Jackson, Morgan & Co., "	382 96	
Wm. H. Myers, & Co., "	735 86	
	<hr/>	1,520 44
Balance,		2,432 63
		<hr/>
		\$3,960 04
		<hr/>

Cash expended for general support, &c.

January 1, By balance brought forward,	62,770 88
--	-----------

Buildings and repairs.

" 31, Rodford Glass Co., 4 boxes glass,	16 65
---	-------

Stock and tools.

J. A. Hasbrouck, paints,	2 98
------------------------------------	------

Clothing and bedding.

Monthly pay roll. Paid A. B. Balch for 1,250 straw,	5 00
--	------

Hospital and medicines.

Geo. Dodds, crackers,	75	
Monthly pay roll. Paid J. Dodds 115 crackers,	50	
	<hr/>	1 25

Discharged convicts.

Charles Burton, Albany county,	6 00
--	------

Postage and stationery.

Jas. H. Gilson, 1 quarter's postage,	18 69
--	-------

Teams and keeping.

Monthly pay roll. Paid L. Fling, 82 bushels oats,	30 75
--	-------

Miscellaneous.

Samuel Shaw, tracing lines of State lots, Nos. 60, 61, 62, 63 and 64, and marking,	5 83	
Monthly pay roll. Paid M. C. Woodworth, convict deposite,	05	
	<hr/>	5 38

Plank road.

Wm. H. Myers & Co., 142,388 feet plank, \$783.13; laying and grading half a mile plank road, \$307 50,.....	1,090 63
---	----------

Machinery.

J. C. Manley, 2,200 lbs. Lehigh coal,....	11 83
---	-------

	\$3,960 04
--	------------

STATE OF NEW YORK, }
 Clinton county; } ss.

John L. Barnes, agent, and E. P. Marble, clerk, of the Clinton State prison, being duly sworn, depose and say that the foregoing account is correct and true, according to the best of their knowledge and belief.

JOHN L. BARNES, *Agent.*

E. P. MARBLE, *Clerk.*

Sworn to and subscribed before me, }
 this 17th day of December, 1851. }

A. SCRIBNER, *Justice of the Peace.*

CLINTON STATE PRISON, }
 March 1, 1851. }

To the Board of Inspectors:

The agent respectfully reports that the following is a true statement of monies received and expended for the general support, &c., of said prison during the month ending February 28, 1851, according to the books thereof:

Cash received this month as follows:

Sundries.

Feb. 28. 1 brown mare sold, \$100.. Lard, &c., \$15.80,	\$115 80
--	----------

Visitors.

153 persons,.....	38 25
-------------------	-------

Averill ore bed.

Hewitt, Stoddard & Platt, ore, \$1,210 07	
R. A. Gilman, " 150 00	
	<hr/>
	1,360 07
Balance,	1,248 18
	<hr/>
	2,762 39
	<hr/>

Feb. 1. By balance brought forward from last
month's account, \$2,432 63

Cash expended for general support, &c.:

Buildings and repairs.

Monthly pay roll. Pd. J. Muzzy, draw-
ing 7 hogs, 70

Stock and Tools.

G. H. Jackson, 1 sett runners and raves
for cutter, 2 50

Rations.

W. P. & P. M. M. Platt, 3 barrels salt,	\$5 25	
J. H. Gilson, garden seeds, ..	5 40	
Monthly pay roll. Paid Peter Winkle, 46 bushels peas, ..	34 50	
	<hr/>	45 15

Clothing and bedding.

Monthly pay roll. Paid for 15 knots yarn, 45

Hospital and medicines.

Monthly pay roll. Paid J. Dodds 230
crackers, 1 50

Teams and keeping.

Abram Lobdell, 3,910 lbs. hay	16 32	
Wm. H. Spaulding, 1 span bay horses,	235 00	
	<hr/>	251 03

Miscellaneous.

Wm. H. Keeler, expenses to Keeseville and returning, .	2 75	
Monthly pay roll. Paid A. Macomber, expenses to Keeseville,	56	
Wm. H. Keeler, expenses to Plattsburgh,	75	
	<hr/>	4 06

Machinery.

Calvin Allen & Co., 2,800 Le-		
high coal,	14 00	
Goulding, Green & Conro, 3		
lead pots,	3 86	
Wm. H. Keeler, 2½ sheets tin,	50	
Monthly pay roll. Paid Wm.		
H. Keeler 1½ days' moulding,	3 00	
	<hr/>	21 36

Plank road.

Monthly pay roll. Paid P. Keenan work		
on road,		2 92

\$2,762 39

STATE OF NEW-YORK, }
 Clinton county, } ss:

John L. Barnes, agent, and E. P. Marble, clerk of Clinton State prison, being duly sworn, depose and say, that the foregoing account is true according to the best of their knowledge and belief.

JOHN L. BARNES, *Agent.*
 E. P. MARBLE, *Clerk.*

Sworn to and subscribed before me, }
 this 17th day of Dec., 1851. }

A. SCRIBNER, *Justice of the Peace.*

CLINTON PRISON, }
 April 1st, 1851. }

To the Board of Inspectors:

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support, &c., of said prison during the month of March, 1851, according to the books thereof.

Cash received this month as follows :

1851.

Sundries.

March 31	Cash received from sale of pork, hams, lard;	
	&c	107 79

Convicts' deposits.

Henry Knox, convict deposit,	03
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Averill ore bed.

Hewitt, Stoddard & Platt, ore, \$1,766 75	
---	--

Jackson, Morgan & Co.	151 04
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	<hr/>	1,917 79
--	-------	----------

Interest account.

Geo. H. Parsons, interest,	3 18
----------------------------------	------

	<hr/>	\$2,028 79
	<hr/>	

March 1 By balance, brought forward from last month's account,	1,948 18
--	----------

*Cash expended for general support, &c.:**Clothing and bedding.*

31 Kingsland, Baber & Co. 3 lbs.	
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woolen yarn,	3 75
--------------------	------

G. W. Larkins, 6 lbs. woolen	
------------------------------	--

yarn,	7 50
-------------	------

	<hr/>	11 25
--	-------	-------

Fuel and lights.

W. A. Morgan & Son, lamp wicks and	
------------------------------------	--

chimneys,	3 17
-----------------	------

Hospital and medicines.

Monthly pay roll, paid J. Dodds, 115	
--------------------------------------	--

crackers,	50
-----------------	----

Discharged convicts.

John Banks, discharged con-	
-----------------------------	--

vict, New York co.,	12 00
---------------------------	-------

Saml. B. Rowe, do do	
----------------------	--

Columbia co.	12 00
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	<hr/>	24 00
--	-------	-------

Postage and stationery.

A. A. Prescott, 150 envelopes, ..	26
-----------------------------------	----

Wm. Reed, 1 gro. pens,	1 00
------------------------------	------

	<hr/>	1 26
--	-------	------

Storage and freighting.

Monthly pay roll, freighting of pork from Rouse's Point,	\$7 94
---	--------

Miscellaneous.

Jas. H. Gilson, expenses to Plattsburgh for money,....	\$1 35	
Amasa Macomber, expenses to Keeseville for moulding sand	5 43	
James Henry Gilson, expenses to Keeseville for money,....	2 60	
	<hr/>	9 38

Machinery.

Edward & White, bill of iron, &c,.....	50 38	
Colvin, Allen & Co., 2,000 lbs. Lehigh coal,.....	10 00	
Amasa Macomber, 2 loads moulding sand,	1 25	
	<hr/>	61 63

Saw mill.

Monthly pay roll, paid for drawing timber for mill,.....	7 95
Balance,	653 53
	<hr/>
	<hr/> <hr/>
	\$2,028 79

STATE OF NEW-YORK, }
Clinton county, } ss.

John L. Barnes, agent, and E. P. Marble, clerk, of the Clinton prison, being duly sworn, depose and say that the foregoing account is correct and true according to the best of their knowledge and belief.

Sworn and subscribed before me, }	JOHN L. BARNES,
this 17th day of Dec., 1851, }	E. P. MARBLE.

A. SCRIBNER,

Justice of the Peace.

CLINTON PRISON.
May 1, 1851.

To the Board of Inspectors :

The agent respectfully reports, that the following is a true statement of the moneys received and expended for the general support, &c., of said prison during the month ending April 30, 1851, according to the books thereof.

April 1. To balance brought forward, \$653 53

Cash received this month as follows :

Sundries.

31. Hams, lard, &c., sold different persons, 60 72

Visitors.

Forty-seven persons, 11 75

Averill ore bed.

Hewitt, Stoddard & Platt, ore,	\$356 28	
Jackson, Morgan & Co.,	" 103 23	
R. A. Gilman,	" 200 00	
G. H. Parsons,	" 410 00	
	<hr/>	1,069 51
		<hr/>
		<u>\$1,795 51</u>

Cash expended for general support, &c. :

Buildings and repairs.

31. Monthly pay roll, paid for cutting timber, \$28 90

Stock and tools.

Emerson & Simonds, two No. 20 crucibles,	\$2 00	
M. Noyes & Co., 40 lbs. old brass,	5 00	
Wm. H. Morgan & Son, 1 lb. glue,	25	
Hammond & Co., 7 tons pig iron,	178 00	
Monthly pay roll, 1 washboard,	17	
	<hr/>	185 42

Rations.

Apr. 31. Monthly pay roll, paid for beef and beans, \$28 48

Hospital and medicines.

Monthly pay roll, paid for crackers & beef, 2 60

Discharge of convicts.

Nathaniel Peck, Jefferson co., \$8 00

Philip Fitzgerald, Essex co., 1 40

Oliver U. Tucker, Washington, 5 00

Allen Corey, Schenectady co., 6 00

20 40

Postage and stationery.

James H. Gilson, one quarter's postage,.. 18 79

Teams and keeping.

Monthly pay roll, 79 $\frac{2}{3}$ bush. oats,..... 31 68

Storage and freightage.

Jack O'Grady, freightage on coffee,..... 25

Miscellaneous.

James H. Gilson, expenses to Plattsburgh
for money,..... \$1 20

Lyman Soper, expenses with
team, ...,..... 4 33

Monthly pay roll, paid for ex-
penses for oats, &c.,..... 2 75

8 28

Balance,..... 1,470 71

\$1,795 51

STATE OF NEW-YORK, }
• Clinton county, } ss.

John L. Barnes, agent, and E. P. Marble, clerk of the Clinton State Prison, being duly sworn, depose and say, that the foregoing account is correct and true according to the best of their knowledge and belief.

JNO. L. BARNES, *Agent.*

E. P. MARBLE, *Clerk.*

Sworn to and subscribed before me, }
this 17th day of December, 1851, }

A. SCRIBNER, *Justice of the Peace.*

CLINTON PRISON, }
June 1, 1851. }

To the Board of Inspectors:

The agent respectfully reports that the following is a true statement of the moneys received and expended for the general support, &c., of said prison, during the month ending May 31, 1851, according to the books thereof.

May 1. Balance from last month's account brought forward, \$1,470 71

Cash received this month as follows:

Sundries.

31. Pork, hams, boards, matrasses, &c., &c., sold different persons, \$245 09

Averill ore bed.

R. A. Gilman, ore,	\$150 00	
Jackson, Morgan & Co., ore, .	150 00	
G. H. Parsons, ore,	151 50	
	<hr/>	451 50
		<hr/>
		2,167 30
		<hr/>

Cash expended for general support, &c.:

Buildings and repairs.

J. C. Manley, cut. and draw. timber,	\$64 48	
Richard Jackson, cutting and drawing timber,	26 20	
Orrin Davis, drawing timber,	63	
E. W. Lewis, cutting and drawing logs,	11 84	
Monthly pay roll, cutting and drawing logs, and paid J. Conger, \$48.75, as carpenter,	196 65	
	<hr/>	299 80

Stock and tools.

J. C. Manley, paid for weighing coal,	\$0 13	
Ransom Pierce, paid difference in exchange plows,	2 00	
	<hr/>	\$2 13

Clothing and bedding.

Monthly pay roll, paid F. Ayres, 1 load straw,		2 00
--	--	------

Rations.

J. C. Manley, 12 $\frac{2}{4}$ bushels barley,	9 40	
Ransom Pierce, paid for carrot seed and beef,	1 66	
Orrin Davis, 13 $\frac{1}{2}$ days harrowing,	30 38	
M. S. Lewis, harrowing grain &c.,	19 81	
Monthly pay roll, garden seeds	1 38	
	<hr/>	62 63

Fuel and lights.

J. C. Manley, 5 $\frac{1}{2}$ cords wood,		6 88
---	--	------

Hospital medicines.

H. Hewitt, 63 lbs. sugar,	4 51	
Monthly pay roll, paid for meat for hospital,	1 85	
	<hr/>	6 86

Discharge of convicts.

George Hamago, Clinton,	1 00	
A. H. Thorndike, do	50	
C. M. Vosburgh, Rensselaer, .	5 22	
Clark Barnes, do	8 67	
Charles Tice, do	5 44	
James H. Foote, Saratoga, ...	6 86	
	<hr/>	27 58

Teams and keeping.

Monthly pay roll, paid C. Blake shoeing horse,		94
--	--	----

<i>Storage and freighting,</i>		
J. C. Manley, cartage of mer-		
chandize, &c.,	\$166 87	
M. S. Lewis, cartage from		
Plattsburgh,	8 89	
	<hr/>	\$175 66

<i>Miscellaneous.</i>		
Lyman Soper, expenses to		
Plattsburgh,	1 38	
Ransom Pierce, expenses to		
Plattsburgh,	1 40	
Richard Jackson, 1½ days team	3 38	
Ransom Pierce, expenses to		
Plattsburgh, &c.,	1 51	
M. S. Lewis, 6 months ser-		
vices as lawyer,	180 00	
Ransom Pierce, paid expenses		
to Plattsburgh for 3 teams		
for boiler, &c.,	14 64	
	<hr/>	202 31

<i>Plank road.</i>		
M. S. Lewis, drawing 38½ logs,		3 82

<i>Saw mill.</i>		
J. C. Manley, draw. 217 logs,	21 70	
Richard Jackson, 296	29 60	
M. S. Lewis, 1092	108 66	
	<hr/>	159 96

Balance,		1,217 23
		<hr/>
		\$2,167 30
		<hr/>

STATE OF NEW-YORK, }
Clinton county, } ss.

John L. Barnes, agent, and E. P. Marble, clerk, of the Clinton State Prison, being duly sworn, depose and say that the foregoing account is correct and true, according to the best of their knowledge and belief.

JOHN L. BARNES, *Agent,*
E. P. MARBLE, *Clerk.*

Sworn to and subscribed before me, }
this 17th day of December, 1851. }

A. SCRIBNER, *Justice of the Peace.*

CLINTON PRISON, }
 July 1, 1851. }

To the Board of Inspectors :

The agent respectfully reports that the following is a true statement of the monies received and expended, for the general support, &c. of said prison, during the month ending June 30, 1851, according to the books thereof:

June 1. To balance from last month's account,
 brought forward, \$1,217 23

Cash received this month as follows :

Sundries.

30. Oats, tallow, labor, &c., 13 91

Convict deposits.

L. Cole,	\$00 13	
James Ferguson,	00 47	
Rufus O. Hay,	00 15	
	<hr/>	00 65

Averill ore bed.

R. A. Gilman, ore,	\$50 00	
Benj. Gilman, "	75 00	
	<hr/>	125 00

\$1,356 79

Cash expended for general support, &c. :

Buildings and repairs.

Asa Palmer, carting brick, &c., 13 $\frac{1}{2}$ tons, and cutting and drawing 109 pickets,	\$48 92	
Jeremiah Mattoon, drawing 20 pickets and 9 poles,	2 50	
S. T. Stiles, cutting and drawing 356 pickets and 18 poles,	81 58	
Rawson Pierce, 60 bush. lime and expenses,	9 66	
Monthly pay roll, paid O. N. Beach 89 days' services, &c.,	179 00	
A. Van Burkirk, extra labor in mill,	7 50	
	<hr/>	329 16

329 16

Rations.

Monthly pay roll, pd. G. F. Lawrence, 1 heifer,	15 00
--	-------

Discharge of convicts.

Peter Fisher, Clinton co.,..	\$4 37	
Jesse Lucas, Washington co.,.	5 10	
Wm. Osgood, Schenectady co.,	5 04	
Jas. McCready, Albany, co.,..	5 40	
Peter Peterson, Columbia co.,	6 31	
Geo. Snyder, " "	6 66	
John Osborn, Schenectady co.,	5 04	
Danl. Bedell, St. Lawrence co.,	4 77	
Sidney Foster, Madison co.,..	9 00	
Wm. Shephard, Essex co.,...	3 00	
		54 78

Postage and printing.

Croswell & Shaw, advertising proposals,.	8 95
--	------

Storage and freightage.

Ransom Pierte, freightage expenses,	2 77
--	------

Miscellaneous.

Davidson & Viele 65½ lbs curl ed hair,	\$19 87	
Asa Palmer, 15½ days harrow- ing,	35 44	
Brinsmade & Brothers, 2 box- es percussion caps,	00 75	
		56 06

Saw mill.

Jeremiah Mattoon, drawing 226 logs,	\$22 60	
S. T. Stiles, drawing 341 logs, \$34.10, and cutting and drawing 237 standard logs, \$118.50,	152 60	
		175 20
Balance,		714 87

\$1,356 79

STATE OF NEW-YORK, }
 Clinton county, } ss.

John L. Barnes, agent, and E. P. Marble, clerk of the Clinton Prison, being duly sworn, depose and say, that the foregoing account is correct and true, according to the best of their knowledge and belief.

JOHN L. BARNES, *Agent.*

E. P. MARBLE, *Clerk.*

Sworn to and subscribed before }
 me, this 17th day of Dec. 1851. }

A. SCRIBNER, *Justice of the Peace.*

CLINTON PRISON, }
 Aug. 1, 1851. }

To the Board of Inspectors:

The agent respectfully reports that the following is a true statement of the moneys received and expended for the general support, &c., of said prison, from July 1, 1851, to July 23, 1851, inclusive, according to the books thereof.

July 1.	To balance brought forward from last months' account,	\$714 87	
	Cash received this month as follows:		
	<i>Sundries.</i>		
30.	Beef, ham, &c., &c., sold sundry persons, ..	169 69	
	<i>Machine shop.</i>		
	A. R. Booth, agent, castings,	554 65	
	<i>Visitors.</i>		
	Sixty-one persons,	15 25	
	<i>Averill mine.</i>		
	Jackson, Morgan & Co., ore,	75 00	
	<i>State appropriation.</i>		
15.	State Treasurer on appropriation,	\$8,000 00	
22.	do do do	2,619 98	
		<hr/>	10,619 98
	Balance,		18 49
			<hr/>
			\$12,167 93
			<hr/>

July 22. Cash expended for general support:

Building and repairs.

Ranson Pierce, 30 bush. lime,..... \$3 75

Stock and tools.

Monthly pay roll, paid Amasa Macomber
for 1 Stocking & Co.'s revolving pistol, 10 00

Rations.

Ira Rowleson, 16 bush. barley,	\$10 00	
Fitch & Cook, 4 beef cattle,..	112 00	
	<hr/>	122 00

Hospital and medicines.

Monthly pay roll; paid G. Dodds for 805
crackers,..... 3 00

Discharged convicts.

Monthly pay roll, Philander Kelsey, Co-
lumbia county,..... 9 20

Postage and printing.

Roby Gustavus Stone, advertising propo- sals,.....	\$2 75	
James Henry Gilson, 1 quar- ter's postage,.....	19 13	
	<hr/>	21 88

Salaries of officers.

Pay roll of officers for November and De-
cember, 1850, and January, February,
March, April, May and June, 1851,... 4,426 57

Pay of guard.

Pay roll of guards for November and De-
cember, 1850, and January, February,
March, April, May and June, 1851,... 6,038 53

Teams and keeping.

Ira Rowleson, 78 $\frac{1}{2}$ bush. oats, at 38 cts.,.....	\$29 97	
Monthly pay roll, 353 bush. oats, \$134.14, and 1 $\frac{1}{2}$ tons hay, \$12,.....	146 14	
	<hr/>	176 11

Expenses of agent.

July 22. Isaac N. Comstock, travelling expenses as agent from Oct. 13, 1850, to July 10, 1851,.....	145 97
---	--------

Miscellaneous.

Jas. H. Gilson, 9 days' services as appraiser, and making and extending 2 copies of State inventory of property,	\$52 00	
Seymour Edgerton, cutting and drawing 43 pickets,...	9 89	
O. A. Burton, interest on \$3,000 from Nov. 28, 1850, to July 15, 1851,.....	131 25	
Ransom Pierce, expenses on business for State,.....	2 40	
Seymour Edgerton, cutting 26 pickets,.....	2 60	
Monthly pay roll, paid for horse hire and labor,.....	2 00	
	<hr/>	200 14

Averill mine.

Seymour Edgerton, hewing timber, work of oxen,.....	\$8 25	
Monthly pay roll, paid Jno. Mason 8 months' services as engineer \$332.80, and Jas. H. Gilson 2 $\frac{1}{8}$ months' services as weigher, \$72.69,..	405 49	
	<hr/>	413 74

Saw mill.

Seth Thomas, 101 days' labor as millwright,	\$189 38	
Seymour Edgerton, cutting and skidding 88 $\frac{6}{8}$ logs,.....	17 66	
	<hr/>	207 04

Machinery.

Monthly pay roll, paid Jno. Banks and J. C. Myers for 7 months' services,....	390 00
---	--------

\$12,167 93

STATE OF NEW-YORK, }
 Clinton County, } ss.

John L. Barnes, agent, and Edward P. Marble, clerk of the Clinton State prison, being duly sworn, depose and say that the foregoing account is correct and true according to the best of their knowledge and belief.

JNO. L. BARNES, *Agent.*

E. P. MARBLE, *Clerk.*

Sworn and subscribed before me, }
 this 17th day December, 1851, }

A. SCRIBNER, *Justice Peace.*

CLINTON PRISON, }
 Sept. 1, 1851. }

To the Board of Inspectors:

The agent respectfully reports that the following is a true statement of the monies received and expended for the general support &c. of said prison, from July 22, 1851, to August 31, 1851.

Cash received this month as follows :

Sundries.

July 31 Grease, sugar, &c. &c., sold,	\$3 75
---	--------

Visitors.

71 persons,	19 50
-------------------	-------

Convict deposit.

Carisse Paro, convict deposit,	49
--------------------------------------	----

Averill mine.

Benjamin Gilman, ore,	\$209 50	
Jackson & Gilman, "	65 00	
G. H. Parsons, "	200 00	
	<hr/>	474 50

State appropriation.

State Treasurer, balance of appropriation,	1,380 02
	<hr/>
	\$1,878 26
	<hr/> <hr/>

By balance from last months' account brought forward,	\$18 49
Cash expended for general support, &c.:	
<i>Buildings and repairs.</i>	
Thos. D. Gilson, 6 $\frac{3}{7}$ % bush. lime,	1 61
<i>Rations.</i>	
Cyrus Cady, 2 $\frac{1}{4}$ bush. beans, and 1 $\frac{1}{2}$ bush. peas,	3 20
<i>Clothing and bedding.</i>	
Richard Jackson, 6 pairs socks,	1 50
<i>Postage and stationery.</i>	
E. H. Southworth, one gross steel pens,	\$00 50
Levi Platt, 200 P. O. stamps,	6 00
	<hr/>
	6 50
<i>Miscellaneous.</i>	
E. D. Baker, jr., publishing notice of pardon of Edward Sorrett,	3 00
	<hr/>
Balance,	<u>\$1,878 26</u>

STATE OF NEW-YORK, }
 Clinton County, } ss.

John L. Barnes, agent, and Edward P. Marble, clerk, being duly sworn, depose and say that the foregoing account is correct and true, according to the best of their knowledge and belief.

JOHN L. BARNES, *Agent.*

E. P. MARBLE, *Clerk.*

Sworn and subscribed before me, }
 this 17th day of Dec., 1851, }

A. SCRIBNER, *Justice Peace.*

CLINTON STATE PRISON, }
October 1, 1851. }

To the Board of Inspectors:

The agent respectfully reports that the following is a true statement of the moneys received and expended for the general support, &c., of said prison during the month ending September 30, 1851:

Sept. 1. To balance from last month's account bro't forward,..... \$1,843 87

Cash received this month, as follows:

Sundries.

30. Weighing hay, &c.,..... 1 35

Machine shop.

J. Bostwick, repairing tin ware, 19.

Averill mine.

Jackson & Morgan, ore, \$100 00

Benj. Gilman, ore, 75 00

175 00

Balance due J. L. Barnes, agent, 220 45

\$2,240 86

Cash expended this month as follows:

Stock and tools.

Smith & Swasey, 1 French seat wheel, and 2 fore-part irons, \$0 88

Benj. Gilman, 228 bush. coal, 13 68

Hewitt, Stoddard & Platt, 2 doz. bags, 7 92

22 48

Rations.

Miner & Pratt, 25,413 lbs. pork, cartage, packing, barrels, &c, &c.,.. \$1,395 02

Finch & Hunter, threshing 958 bush. grain, 44 00

Hewitt, Stoddard & Platt, flour and corn meal, 129 33

Sept. 1. Monthly pay roll, 36 $\frac{3}{4}$ bush. potatoes and 694 $\frac{3}{4}$ lbs. beef,	38 62	
	<hr/>	1,626 97
<i>Clothing and bedding.</i>		
Orville Page, 33 pairs thick boots,.....	74 25	
Monthly pay roll, 9 prs. socks, \$2.25, one matrass, \$2.00,..	4 25	
	<hr/>	78 50
<i>Hospital.</i>		
Monthly pay roll, crackers,.....		1 00
<i>Discharge of convicts.</i>		
Monthly pay roll, Parkman Chappell, Clinton co.,.....	\$1 00	
Fred'k Johnson, Essex co., ..	2 00	
Moses Chase do ..	4 00	
Jno. Sage, Schenectady co.,..	5 04	
John Ryan, Clinton co.,.....	3 50	
Chauncy Griswood, Sch'dy co.	6 00	
Carl J. Heyman, do	9 84	
Geo. W. Porter, Albany co.,	5 50	
Dominique Wright, Sch'dy co.	5 04	
Thos. H. Thornton, do	6 00	
Philander Smith, St. Lawrence	4 50	
Arthur Duffy, do	4 50	
	<hr/>	56 92
<i>Postage and stationery.</i>		
James H. Gilson, 1 quarter postage,.....		13 36
<i>Salaries of officers.</i>		
Pay roll of officers, chaplain for 1 month, and 2 keepers for 4 months and 5 days,		241 00
<i>Pay of guards.</i>		
Pay roll of guards, 29 $\frac{1}{2}$ days,.....		29 05
<i>Teams and keeping.</i>		
Carlisle, expense with State team, from Aug. 1, to Sept. 22, inclusive,	\$15 68	
Hewitt, Stoddard, & Platt, 24 $\frac{1}{2}$ bush oats, and 600 shorts,.....	17 90	

Monthly pay roll, paid C. Bromley 39 days services as teamster,	29 55	
	<hr/>	63 13

Miscellaneous.

Wm. R. Stiles, expenses in pursuit of Mooney, an escaped convict,	9 13	
J. H. Gilson, expenses in pursuit of Mooney, an escaped convict,	1 48	
Asa Palmer, expenses in pursuit of Mooney, an escaped convict, and use of team, &c.	5 00	
Monthly pay roll, paid Moses Pickering, for arresting Mooney, an escaped convict \$50.00, and convict deposit refunded A. Duffy, 25 cts.,	50 25	
	<hr/>	65 86

Averill mine.

Monthly pay roll, paid J. Bostwick, 11 $\frac{7}{8}$ tons clay, ...		42 59
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\$2,240 86

STATE OF NEW-YORK, }
 Clinton county. } ES.

John L. Barnes, agent, and Edward P. Marble, clerk of Clinton State prison, being duly sworn. depose and say, that the foregoing account is correct and true, according to the best of their knowledge and belief.

JOHN L. BARNES, *Agent*,
 E. P. MARBLE, *Clerk*.

Sworn to and subscribed before me, {
 this 17th day of December, 1851. }

A. SCRIBNER, *Justice of the peace*.

STATEMENT,

Showing the expenditure of one hundred dollars, drawn from the Literature Fund, pursuant to the act passed December 14, 1847, to purchase books for the use of convicts in State prisons.

Of whom purchased.	Titles of books.	No. vols.	Price per vol.	Am't.
Harper and Brothers.	Chalmer's works,	8	1 00	8 00
	Prescott's Mexico,	3	2 25	6 75
	Ferdinand,	3	2 25	6 75
	Peru,	2	2 25	4 50
	Miscellaneous,	1	2 25	2 25
	Campaign Sketches,	1	1 00	1 00
	Pillar of Hercules,	2,	85	1 70
	Minesota,	1	75	75
	Thankfulness,	1	45	45
	Whale and its captors,	1	60	60
	Useful acts,	1	1 50	1 50
	Magic of Kindness,	1	45	45
	Percy's Anecdotes,	1	2 00	2 00
	White Jacket,	1	1 25	1 25
	Tempter,	1	45	45
	Kings and Queens,	1	1 00	1 00
	Abbott's Scotland,	1	1 00	1 00
	Thornton's Oregon,	1	1 75	1 75
	Calvin,	1	1 00	1 00
	Johnson's Religious Life,	1	1 00	1 00
	Wonderful Inventions,	1	75	75
	Smith's Philosophy,	1	1 00	1 00
	Smith's China,	1	1 25	1 25
	Abbott's Histories,	12	60	7 20
	Neander's Christ,	2	2 25	4 50
	Buxon's Mexico,	1	60	60
	Gleig's Waterloo,	1	90	90
	Madame Guyon,	1	2 00	2 00

J. C. Meeks, agent.	Sonthey's Wesley,.....	1	2 00	2 00
	Alison's Europe,.....	1	5 00	5 00
	Hopkins' Confessional,.....	1	1 00	1 00
	Dwight's Theology,.....	1	6 50	6 50
	Geisler's Ecclesiastical His- tory	1	3 50	3 50
	Hannah Moore's Works.....	1	2 50	2 50
	Bible Society,.....	1	1 50	1 50
	Little Savage,.....	1	45	45
	Moshiem,.....	1	3 50	3 50
	Bar of Iron,.....	1	16	16
	Way of Life,.....	1	37	37
	Cottage Lecture,	1	50	50
	Biblical Geography,	1	50	50
	Biblical Antiquities,	1	75	75
	Senses of the Mind,.....	1	21	21
	Crusades,	1	21	21
	Jaffer's,	1	21	21
	Court of Persia,.....	1	21	21
	Life of Lavater,.....	1	21	21
	Lost Hours,.....	1	21	21
	People of Persia,.....	1	21	21
	Alfred the Great,.....	1	21	21
	Plants and Trees,	1	21	21
	Village and Family Library,. 24		12½	3 00
	David,.....	1	35	35
	Wickliffe,.....	1	27	27
	Grace Dermott,	1	27	27
	J. Hudson,	1	32	32
	Highland Pastor,.....	1	27	27
	Robert Dawson,.....	1	27	27
	Eagle Hill,.....	1	28	28
	Evenings in France,.....	1	28	28
	Useful Christian,	1	30	30
	People in China,	1	30	30
	Life Pictures,.....	1	30	30
	Calls to Usefulness,.....	1	32	32
	Tabita,	3	32	96
	Six Days Wonder,.....	1	34	34

Ways and Ends,	1	32	32
Good, Better, Best,	1	37	37
Huguenot,	1	42	42
Beekman,	1	40	40
Solomon,	1	37	37
Every Day Life,	1	37	37
Elsuria,	1	35	35
The Sufficient,	1	34	34
Arts of Life,	1	25	25
Robert Kent,	1	25	25
The Arab,	1	25	25
Native Village,	1	25	25
Great Change,	1	25	25
Nestorians,	1	25	25
Guide to Savior,	1	23	23
Sickness Improved,	1	23	23
Sloth and Theft,	1	23	23
Parker's Reasoning,	1	23	23
Life in Earnest,	1	21	21
H. Wood,	1	21	21
Cottage Lectures,	1	50	50
Young Tradesman,	1	35	35
Young Folks at Factory,	1	40	40
Daily Record,	1	40	40
Friendly Appeal,	1	20	20
Hearts' Ease,	1	15	15
Repentance,	1	15	15
Moriarty Mirror,	1	20	20
Family Scrap Book,	1	21	21
Tree and Fruits,	1	21	21
McDonald,	1	12	12
Bible Evidence,	1	33	33
M. M. Berry. Jacob's Solomon,	1	62	62
Gornelius the Centurion,	1	62	62
Adams' letters on the Bible,	1	31	31
Memoir of Abel,	1	62	62
Bogatsky's Golden Treasure,	1	62	62
Scenes where the tempter, &c.	1	30	30

American	Backslider,	1	15	15
Tract	Universalism,	1	25	25
Society.	Bunyan,	1	40	40
	S. Manual,	1	25	25
H. Hunt.	Life and Remains, M. Chair, ..	2	1 50	3 00
	Fletcher's Life,	1	65	65
	Life of Dr. Clark,	1	1 00	1 00
	Thirty years from Home,	1	38	38
J. C. Myers.	Sabbath Manual,	3	50	1 50
	Bunyan's Pilgrim Progress, ..	1	1 00	1 00
	One Backslider,	1	50	50
	One box,			1 09
				<hr/>
				\$132 50
Deduct for discount,				22 50
				<hr/>
Total volumes,		168		\$100 00
				<hr/>

CLERK'S REPORT.

CLINTON PRISON, }
December 1, 1851. }

To the Inspectors of State prisons :

Gentlemen—In accordance with the requirements of the statute, I hereby report that the number of convicts confined in the Clinton State prison, on the first day of December, 1851, is one hundred and thirteen, who are employed as follows :

In the mine,	30
Engineers,	4
Tin shop,	1
Saw mills,	16
Machine shop,	4
Agent's waiter,	1
Kitchen,	7
Prison hall,	5
Hospital,	2
Invalids,	11
Sick,	3
Teamsters,	2
Shoe shop,	2
Tailor shop,	5
Gettin out timber for State,	3
Carpenters' shop,	5
Wash room,	2
Barber's shop,	1
Blacksmith shop,	4
Furnace,	2
Office waiter,	1
Wood sawyers,	2
Total,	<u>113</u>

The whole number of convicts remaining in prison, on the first day of December, 1851, was.....	114
The whole number received during the year was,.....	42
	<hr/>
Total,	156
Discharged by expiration of sentence,	33
“ pardon,	9
Escaped,	1
	<hr/>
	43
	<hr/>
Remaining in prison December 1, 1851,	113
	<hr/>

Respectfully,
Your obedient servant,
E. P. MARBLE, Clerk.

PHYSICIAN'S REPORT.

CLINTON PRISON, }
Dec. 1st, 1851. }

To the Inspectors of State Prisons:

Gentlemen—Since the date of my report of December 1st, 1850, this prison has enjoyed a state of health highly commending both the location of the institution and kind of labor required of its inmates. Some of the advantages possessed by this, over many other similar institutions are, that while their inmates are subjected to confined positions, and the depressing influence of unwholesome air in crowded shops, in this, the different branches of business are such as require the active exercise of every muscle, while at the same time the system is invigorated by the free, uncontaminated air of the mountain. That the beneficial result consequent upon these circumstances may not be counteracted during the hours that the men are necessarily confined in cells, the most rigid regulations in regard to cleanliness and ventilation, are enforced. Especial care is taken during our inclement winter, that the clothing is sufficiently warm, and the diet nutritious; hence the the mass enjoy a condition of health and vigor rendering them comparatively content, and easily controlled and eminently fitted for the accomplishment of the great object of their confinement, intellectual, moral, and religious improvement.

The whole number of prescriptions applied for out of hospital during the year ending November 30th, 1851, was 1,533. The whole number made was 1,077. Every person conversant with the practice of medicine in prison is aware that daily applications are made to obtain prescriptions for imaginary, feigned, or no disease at all. Of that class I have refused 456, and am aware that in my desire to err on the side of charity if at all, I have prescribed for those of the same class.

The whole number under treatment in hospital was 22, of whom 19 were discharged, cured or much improved. Now remaining 3, one of whom James Stuart has been an inmate of the hospital for nearly the whole year, has shown symptoms of insanity ever since my connection with this prison, is no longer a fit subject of prison discipline, and should immediately be removed to the State Lunatic Asylum. . . .

No death has occurred during the year.

The diseases for which treatment has been required, have been mostly of a chronic character, depending upon the previous habits and circumstances of the patient, and dating their cause anterior to his admission to this prison. But few cases of acute disease have occurred and those easily controlled by remedies.

All necessary medicines have been promptly furnished by the agent and these of the best quality.

By reference to the appended tables, it will be seen that the daily average of out hospital prescriptions has been diminishing since April, showing a constant improvement in the health of the prison. From the examination of a table of invalids given in my report of last year, it will appear that of the convicts then confined here 34 were so far broken of health as to render them incapable of enduring hard labor. Since the date of that report 42 have been discharged, some of whom were included in that list; others have been cured, reducing the number of invalids at least one-half. During the same time 42 convicts have been admitted, of whom 39 were received in good health, so that while the average number has been less by 4 than the previous year, the strength of the prison has improved.

I have examined the provisions furnished by the agent, and with the exception of a small lot of flour fraudulently delivered, they have been of the best quality.

For a more condensed view of the sanitary condition of this prison, you are respectfully referred to the following tables.

Very respectfully,

Your obedient ser'vt,

D. A. RAYMOND,

Physician.

Hospital report.

	Whole No. in hospital.	Whole No. of days.	Daily aver- age.	Number dis- charged.	Number ad- mitted.
December,	1	31	1	..	..
January,	4	55	1 $\frac{2}{3}$ $\frac{1}{4}$	1	3
February,	4	42	1 $\frac{1}{2}$ $\frac{1}{4}$	3	1
March,	7	83	2 $\frac{3}{4}$ $\frac{1}{4}$	3	6
April,	4	40	1 $\frac{1}{2}$ $\frac{1}{4}$	1	..
May,	5	106	3 $\frac{1}{2}$ $\frac{3}{4}$	4	2
June,	2	50	1 $\frac{3}{4}$ $\frac{1}{4}$	..	1
July,	3	90	2 $\frac{3}{4}$ $\frac{1}{4}$	1	1
August,	3	93	3	..	1
September,	4	94	3 $\frac{1}{2}$ $\frac{1}{4}$	1	1
October,	5	120	4	3	2
November,	5	113	3 $\frac{1}{2}$ $\frac{1}{4}$	2	3

Out-Hospital report.

	Number of applicants.	Number of applicants refused.	Number of prescriptions made.	Number of prescriptions supplied for.	Daily aver- age made.	Number ex- cused labor.
December,	67	21	112	152	3 $\frac{1}{2}$ $\frac{1}{4}$	2
January,	65	18	124	153	4	3
February,	65	23	110	164	3 $\frac{1}{2}$ $\frac{3}{4}$ $\frac{1}{4}$	2
March,	84	18	168	228	5 $\frac{1}{2}$ $\frac{3}{4}$ $\frac{1}{4}$	4
April,	65	25	176	262	5 $\frac{1}{2}$ $\frac{1}{4}$ $\frac{3}{4}$	2
May,	63	16	103	148	3 $\frac{1}{2}$ $\frac{1}{4}$ $\frac{1}{4}$	1
June,	75	23	54	104	1 $\frac{1}{2}$ $\frac{3}{4}$ $\frac{1}{4}$	1
July,	48	14	46	77	1 $\frac{1}{2}$ $\frac{1}{4}$ $\frac{3}{4}$	2
August,	39	13	39	59	1 $\frac{3}{4}$ $\frac{1}{4}$	1
September,	49	15	60	82	2 $\frac{1}{2}$ $\frac{1}{4}$ $\frac{1}{4}$	..
October,	24	8	23	31	2 $\frac{1}{2}$ $\frac{1}{4}$ $\frac{1}{4}$	2
November,	45	9	56	71	1 $\frac{1}{2}$ $\frac{1}{4}$ $\frac{3}{4}$	1

CHAPLAIN'S REPORT.

To the Hon. Board of Inspectors of Prisons for the State of New-York :

Gentlemen—It has become my duty to report to you the religious and moral condition of the convicts confined in this prison, for the term of four months and a few days that I have been connected with it as chaplain, together with the duties performed by me in the discharge of my office.

Since my connexion with the institution the conduct of the convicts, so far as it has been the subject of my personal observation, has been orderly and peaceful; but, doubtless, many instances of impropriety have come under the observation of those officers whose supervision is more immediate and particular.

In my intercourse with them in the performance of my duty I have been uniformly treated with respect. I have met with only one instance of open and avowed infidelity and hostility to the interesting truths of revelation in general and of christianity in particular; very many of them, however, are indifferent to the claims of religion upon their attention and regard. A small number profess to receive the solemn and all important truths of our divine religion, while a larger number appear to be more or less interested in them. When assembled in the chapel for divine worship, which is conducted according to the rites and liturgy of the Protestant Episcopal Church, their conduct is distinguished by a decorous attention, and many of them unite with seeming devotion in the solemn service.

In my visits to them in their cells for conversations, on the afternoon of Sunday, I find many of them occupied in reading the Bible, and such religious and useful books as the library contains;

Some of them enter cheerfully into religious conversation, and in the judgment of charity we may be permitted to hope they are not all of them self-deceivers, but seduced by the temptation of a delusive world, principle has been sacrificed, as is too frequently the case, at its shrine; while many are indisposed to enter into serious conversation, and avoid such intercourse with the chaplain as would lead to it. Upon such, conversation is not pressed. I have found a large number of them unwilling to admit their guilt to the extent the law has decided; while some of them acquiesce in the justice of its condemnation, and acknowledge they are suffering the retribution of their own misconduct. Some few have assured me they regard themselves fortunate in having been arrested in a career of crime, and by means of the salutary discipline to which they are here subjected, led to sober reflection upon the past, and to form resolutions of amendment and good conduct for the future. It is to be hoped these are not, all of them, imposing either on themselves or others; at the same time, all such assurances are equivocal, even when made in the greatest sincerity and candor. Men subjected to the restraints prison discipline imposes, must, doubtless, be led to a retrospective view of the causes which have terminated in the privation of liberty, and measurably the wreck of their earthly prospects of usefulness and respectability; and in the regret of the past and the hope of the future, to resolve and be convinced—perhaps they have resolved—that the past shall not be repeated, and the future shall behold them what they ought to be, good and useful citizens. But, alas! for the imperfection of human nature and our firmest determinations, when these restraints are no longer felt, and the seductions by which they were once beguiled from the path of duty, are again spread out before them in all their ensnaring reality, how small the number that may escape the delusion—how few comparatively may stand firm in their integrity, the *trial* alone can decide.

From the day I commenced my duties as chaplain to the present time, divine service has been conducted in the chapel regularly every Sunday morning, and a discourse addressed to the convicts, and the same also on the morning of the day appointed by his Excellency the Governor as a day of thanksgiving to Al-

mighty God for the fruits of the earth and other blessings of his merciful providence. In my discourses I have aimed to interest, to instruct, and to convince, in the hope that with the blessing of God upon the means He has appointed for these great purposes of our ministry, reformation, repentance and entire conversion may be produced. The divine blessing has been invoked daily when all are assembled in the dining hall for the repast at noon. The convicts have been visited in their cells every Sunday in the afternoon; all have been conversed with who have been disposed to enter into conversation with me, and none have been neglected, those only excepted who have avoided such intercourse. With a few exceptions, I have visited them every evening of the week, Saturday evenings always excepted, and devoted from one to two hours in conversation and hearing recitations from members of the convict school. The hospital has been visited every day, but as there are only a few invalids and none seriously indisposed, the duty here has been inconsiderable. It is customary on the afternoon of Saturday to call in the prisoners from their ordinary occupations at an earlier hour than on other days, and assembling them by classes in the library hall, each is allowed the privilege of selecting two books for reading during the week. On these occasions, I have been present invariably to superintend the distribution. The conducting the correspondence of the convicts is a laborious as also a very responsible duty which devolves upon the chaplain, and occupies a large share of his attention. This duty has been duly attended to and performed.

From the statistics accompanying this report, the lamentable fact is forced upon one's attention, that much of the crime that pervades our country is attributable to the intemperate use of spirituous liquors, and the neglect of early instruction and religious education. Of 113 convicts confined in this prison, it appears that 72 acknowledge themselves to have been in the habitual and excessive use of intoxicating liquors; 16 were unable to read, and 23 could read imperfectly; while the whole number under instruction in the prison school has been 48, very nearly half the number at present in confinement.

I cannot conclude this report without bearing my testimony to the humanity with which the unfortunate inmates of this in-

stitution have been uniformly treated since I became connected with it. Should any stranger visit it, and cast an attentive glance at the prisoners when assembled in the dining hall at the noon repast, the general appearance of healthfulness and cheerfulness which meets his inquiring eye, would satisfy him, without further inquiry, that there is no deficiency in any thing necessary to promote the health and comfort of the men. Their food is abundant in quantity, and wholesome in quality; and their necessary wants in sickness and health receive a prompt attention; and I should be at a loss to imagine in what way their condition as delinquents, and here measurably satisfying the demands of the violated laws, could be improved consistently with the objects of their confinement, and their security.

It affords me pleasure to add that from all the officers I have received every assistance and facility needed by me in the prosecution of my official duties.

All which is respectfully submitted, by gentlemen,

Your very obedient,

NATH. F. BRUCE,

Chaplain.

Clinton Prison, Dec. 1, 1851.

STATISTICS.

No. 1.

Counties where convicted, and number from each :

Albany	county,	2
Clinton	do	11
Columbia	do	1
Essex	do	4
Franklin	do	2
Fulton	do	7
Kings	do	1
Madison	do	1
Montgomery	do	11
New-York	do	1
Rensselaer	do	4
Saratoga	do	8
Schenectady	do	13
Schoharie	do	1
St. Lawrence	do	19
Ulster	do	2
Warren	do	5
Washington	do	20
		<hr/> 113 <hr/>

Nativity.

United States,	72
Canada,	12
Ireland,	17
England,.....	6
Scotland,	4
Germany,.....	2
	<hr/>
	113
	<hr/>

Age.

Under 30 years,	45
Between 30 and 40,	46
Between 40 and 50,	8
Over 50,	14
	<hr/>
	113
	<hr/>

Social state.

Married,	53
Unmarried,	60
	<hr/>
	113
	<hr/>

*No. 2.**Education.*

Common school,	83
Read and write,	40
Read only,	23
Unable to read,	16
Academic,	1
	<hr/>
	113
	<hr/>

Complexion.

White,	108
Indian,	2
Colored,	8
	<hr/>
	113
	<hr/>

Habits of life.

Temperate,	41
Intemperate,	72
	<hr/>
	113
	<hr/>

Health on reception.

Indifferent and poor,	15
Good,	98
	<hr/>
	113
	<hr/>

Employed when arrested,	62
Unemployed,	51
	<hr/>
	113
	<hr/>

Duration of sentence.

2 years and under,	32
2 years and under 3 years,	11
3 " 4 " 	16
4 " 5 " 	16
5 " 6 " 	19
6 " 7 " 	2
7 years,	3
8 years,	2
10 years and under 11 years,	12
Life,	1
	<hr/>
	113
	<hr/>

Number of times convicted.

First sentence,	99
Second, " 	14
	<hr/>
	113
	<hr/>

No. 3.

Occupation.

Boatmen,	6
Blacksmith,	4
Brick makér,	1
Butcher,	3
Carriage painter,	1
Carpenter,	4
Cabinet maker,	1
Chair maker,	1
Clerk,	1
Cook,	2
Cooper,	2
Engraver,	1
Farmer,	22

Gardener,	1
Hostler,	1
Hunter,	1
Jeweler,	1
Laborer,	36
Miller,	1
Plasterer,	1
Plane maker,	1
Pump maker,	1
Sailor,	3
Shoe maker,	3
Soldier,	1
Stone cutter,	1
Stone mason,	1
Teamster,	3
Tin smith,	1
Tobacconist,	1
Turner,	3
Weaver,	2
Wheelright,	1

TEACHER'S REPORT.

To Rev. N. F. BRUCE:

In compliance with your request, I respectfully report, that I have had charge of the school in this prison since July last, during which time 48 convicts have been under instruction, 5 of whom have been discharged, leaving 43 under instruction at this time and employed as follows:

In reading and spelling,.....	6
Spelling alone,.....	2
Reading alone,.....	11
Arithmetic,.....	20
Writing,.....	2
Geography,.....	1
Grammar,.....	1
Total,.....	<u>43</u>

As a general thing, I find that these men evince a strong desire to learn, and apply themselves to their studies with an earnestness that is truly commendable, and they progress in a manner that is gratifying to themselves and to me. There are some instances of men who have been here but two years who now read quite fluently, although they did not know the alphabet when received.

Necessity compels me to teach them separately at their cell doors. I am of the opinion that if I could take them out in classes they would receive much more benefit from my instruction. The books used are Saunder's first, second and third class

Readers; Saunder's Spelling book, Smith's Grammar, Olney's Geography, and Adams' Arithmetic.

I take this opportunity to tender my thanks to you for the kind and efficient service you have rendered me in my labors and remain

Your obedient servant,

HEMAN LOWRY,
Instructor

State of New-York.

No. 36.

IN SENATE, FEB. 19, 1852.

REPORT

Of the Committee on Claims on the petition of A. P. McDonald, John H. Nichols, Charles J. De Graw, and Henry De Graw, for relief.

The committee on claims, to which was referred the petition of A. P. McDonald, John H. Nichols, Charles J. De Graw and Henry De Graw, asking for relief,

REPORT:

That the petitioners were contractors for the construction of an aqueduct at Oswego, entered into Nov. 15, 1849, with the Canal Commissioners, under the act passed April 5, 1849, entitled, "An act in relation to the Oswego canal."

Sections two and three of that law were repealed April 10, 1850, and the contractors were directed to discontinue further operations under the contract. The law being repealed, the Canal Commissioners held that they had no further power to settle with the contractors, and this view of their powers was probably correct, owing to an inadvertence in the repealing act not making provision for the case.

By the act of 1851, passed June 20, 1851, (see chapter 248 of the Laws of that year,) a special enactment was made intended for their relief; authorizing by its terms, the Canal Board to

[Senate, No. 36.]

1

[u.n.]

ascertain and determine whether there had been any "*violation of said contract for which, under the terms of said contract,*" they were entitled to compensation; and if they should find any such *violation of contract* on the part of the State for which such contractors were entitled to compensation from the State, then that they should award said contractors such sum as they should be found justly and equitably entitled to receive.

This act was intended to afford complete relief, and would have attained that end if the Legislature had not used the words "*violation of contract;*" as the Legislature had used terms that seemed to imply a contract in the very case after the contract was made and the law repealed and had only directed the Canal Board to inquire into the supposed violation of that contract, it would seem that the Canal Board might have excused themselves from any very profound disquisition as to the existence of a contract *de jure*; and as the Legislature had used the term *said contract*, in reference to things past assuming a contract, it was plain enough what was meant at any rate, and the Canal Board would have shown greater familiarity with the rules of legal interpretation if they had understood the word "*contract*" as the Legislature used it, in a popular sense, as signifying a contract *de facto* instead of a contract *de jure*; and it would seem that if the Legislature had power to grant relief in any form, or by any force of expression, (which is not understood to be denied) the words used were apt and sensible for that purpose. It is unfortunate for the petitioners, though fortunate for us, that that Board did not adopt a construction confining them to the question submitted—the mere violation of "*said contract,*" the existence of which the act they were construing had conceded.

If the Canal Board had taken this view of the interpretation of the statute, and certainly it is a question of interpretation, for otherwise the Legislature could grant no relief whatever by any form of words, we should have been deprived of the benefit of this constitutional discovery altogether. The whole doubt and difficulty seems to grow out of an inquiry as to the mere signification of words, not a question of right.

The Canal Board were directed to inquire as to the violation of an assumed contract, but they reasoned that there could

be no violation of a contract, unless there was a contract, very true, but the Legislature had decided as to the de facto existence of a contract. They also probably concluded that there could be no contract unless it were a de jure contract, and that the works could not, even by express definition, be received in any other sense; and that there could be no other contract de jure, whatever forms were employed, unless the bond under which it was made was constitutional; and by this mode of reasoning they arrived at the constitution at last, and were able to sit in judgment on the Legislature of 1849, who passed the law under which the contract was made. All these points thus raised, as any one might well foresee, were decided against the Legislature. No body of men, after setting off so resolutely and bravely so far to make a discovery, could ever be induced to return without it. The constitution was vindicated, the Legislature of 1849 was condemned, the claimant was ruined, but the reverence of the Canal Board for the constitution, and their zeal in its defence, have been abundantly displayed. And although the law has failed of its primary object, the relief of the petitioners, yet we are more than compensated by this addition to our constitutional lore; and the committee are happy to learn, from the same high authority, that a second law, slightly differing in its phraseology from the former, will enable the Canal Board, without difficulty, to attain the end for which the first was designed. And that the Canal Board, after having done justice to the State and posterity in general, are not so exhausted but that they can return and discharge the humble and thankless duty of listening to the claims of the petitioners.

Your committee therefore ask leave to introduce a bill.

ELISHA WARD,
In behalf of committee.

State of New-York.

No. 37.

IN SENATE, FEB. 7, 1852.

REPORT

Of the committee on claims on the petition of Levi Brown, for relief.

Mr. Jones, from the committee on claims, to which was referred the petition of Levi Brown, for relief,

REPORTS:

That the statements and allegations of petitioner are substantially as follows: That he was the owner of a farm in the town of Nelson, in Madison county, of 106 acres, and that for the construction of the Erieville reservoir, the Canal Commissioners, in September, 1848, appropriated about 71 acres of the same, being flat land, which by ditching he had made very valuable for grain and grass. That about the last of November, 1849, he was informed that the Canal Appraisers were to meet to appraise his own and his neighbors' damages for the lands appropriated for said reservoir. On the same day on which petitioner received such notice, the Appraisers arrived in the evening. That the suddenness of their coming, and the shortness of their stay, rendered it more like a town meeting than a meeting for business, in which many thousands worth of property was to be appraised. This, says the petitioner, caused great haste, every man being anxious to have his claim heard, and after he succeeded in bringing up his own claim, and before he had time to finish his case, was told by the Appraisers, they must leave, but would return in four weeks, and afford him a further hearing. And the Apprai-

sers accordingly left, and whilst one of petitioner's witnesses was on the stand, no part of whose testimony is to be found; under promise that said Appraisers would return and close his case in four weeks, he had no expectation to the contrary. Yet they did not return as promised, and to his surprise, in the spring of 1850, was informed the said Appraisers had made him an award, and that of only about one-half the amount proved by good witnesses.

Petitioner further states, that he took no appeal from the Appraisers, for the reasons that his case had not been finished, and that the testimony, through mistake, had not all been entered in the minutes of the Appraisers, and therefore, not on the record, which alone could be considered by the Canal Board on appeal. Another reason why he judges a part of his proof was lost, was, that the claim was heard by Messrs. Philips & Abell, and the award was signed by Messrs. Philips & Hard. The petitioner further says, that he still believes the Appraisers intended to afford him an opportunity to finish the testimony in his case on their return to view the premises, on a subsequent period, as promised; but from causes not known to him, they failed to do so, and he now prays that a law may be passed, authorising and directing the said Appraisers to rehear and finish his case, and then allow him such further compensation, as they shall deem equitable.

The above statements and allegations are verified by the oath of the petitioner, and corroborated by the affidavit hereto annexed, of Benjamin Enos, who acted as petitioner's attorney on the hearing.

Whilst the committee are unwilling to believe that the Appraisers intended to debar the petitioner from a full hearing of his case, they cannot resist the supposition that some injustice may have been done him through inadvertence, mislaying, or loss of a portion of the evidence taken on the hearing. If the petitioner and Mr. Enos are to be regarded as swearing truly, the Appraisers did promise to return to the premises and finish their investigations of the several claims presented, at a subsequent day, which, as appears from the papers, they omitted to do.

The provisions in the statutes require the Canal Appraisers personally to view the premises on which damages are claimed, and as nearly in the vicinity of such premises as may be, and to hear such proper evidence as shall be offered by claimants, as well as on the part of the State, which provisions plainly contemplate, a full and

fair reception and consideration of all relevant proofs the parties in interest desire to submit. On a careful examination of this case, the committee are of opinion that full justice to the petitioner in the presentation of his claim, has not been extended to him; and they, therefore, ask leave to introduce a bill for his relief.

NATHANIEL JONES.

Benjamin Enos being duly sworn, deposeth and says: That he is acquainted with Levi Brown, of the town of Nelson, in the county of Madison: That he was present and assisted Mr. Brown in the fall of 1849, in bringing his claim for damages sustained by him in the construction of the Erieville reservoir, before the Canal Appraisers: That the shortness of the time and hurry of business while the Canal Appraisers were at Erieville, rendered it impossible for claimant to finish his case, as the Appraisers left at half-past 11 A. M. the day after their arrival, while one of claimants most material witnesses was on the stand, with a promise that they would return in four weeks from that time, and then claimant should have a further time to enable him to finish his case.

BENJAMIN ENOS.

Sworn to and subscribed before }
me, February 6, 1852, }

NATHANIEL JONES, *Ch'n Com. on Claims.*

State of New-York.

No. 38.

IN SENATE, FEB. 10, 1852.

REPORT

Of the Committee on Claims on petition of Volney Hughes and Charles W. Woolston, for relief,

Mr. Jones, from the committee on claims, to which were referred the petitions of Volney Hughes and Charles W. Woolston, asking for damages occasioned by breach in the Erie canal at or near Bushnell's basin, in the summer of 1850,

REPORTS:

That the committee have had the petitions under consideration and have carefully examined the same, together with the affidavits relating thereto, and find it alleged in said petitions that on or about the first of June, 1850, a break occurred in the Erie canal by which the lands of the petitioners were seriously injured, their fences swept away and their crops destroyed, and they therefore pray the Legislature to pass an act authorizing and requiring the Canal Appraisers to examine their claims and award them damages.

There is no allegation in the petitions of neglect or delinquency of any canal officer or other agent of the State, causing the breach in the canal, by which their property was injured; but statements in the affidavits suppose the breach to have been the result of bottoming out the canal at that point the previous year, which left it less impervious and compact.

Your committee are unable to perceive any thing in the papers presented, showing any apparent defect in the canal at this place; and if any existed previously, it must have been a latent weakness of the banks not discernible by human foresight.

In the absence of all evidence of delinquency on the part of the public agents, as well as of any proof showing previous deficiency, of strength in the canal banks, your committee cannot perceive on what principle, other than that of munificence, the petitioners are to be indemnified by the State for their alleged losses.

If the petitioners seek relief upon the principle of holding the State liable as an individual, your committee are of opinion that no person would be held responsible for damages caused by his private bridge, or his hydraulic works being carried away by a sudden rise of water, or by a tempest. If a casualty of this nature differs from a break in a canal bank, the committee are unable to perceive that difference. And they therefore come to a conclusion unfavorable to the prayers of the petitioners, and submit the following resolution for the adoption of the Senate.

Resolved, That the prayers of the petitioners be denied.

NATHANIEL JONES.

State of New-York.

No. 39.

IN SENATE, FEB. 7, 1852.

REPORT

Of the committee on claims on the petition of John E. Van Eps for relief.

Mr. Ward, from the committee on claims, to which were referred the petition and papers of John E. Van Eps, asking an appraisment of damages sustained by him in consequence of water leaking from the Erie canal and spreading over his flats,

REPORT :

That the committee have had the petition and papers accompanying the same under consideration. The petitioner represents that he is the owner of about fourteen acres of flats in the town of Glen, one mile west of the village of Fultonville, in the county of Montgomery, that in constructing the Erie canal along the margin of his flats, and the hill which contains a strata of loose slate rock, that extend six to ten rods under that part of the flats adjoining the hill, and from three to four feet below the surface of the soil next the hill, so that by excavating on the south side of the canal and embanking on the north side, raises a bank from five to six feet high, which by means of the seams and layers in the rocks the water leaks from the canal and spreads over about six acres of the flats, rendering them almost entirely useless for all agricultural purposes, and consequently of little value. The statements of the petitioner appear to be fully sustained by the affidavit of John Quackenboss, hereto annexed, with the affidavit and documents which are contained in the Assembly Document of 1846, No. 43, and which are referred to, as part of the report.

It appears that said petition was presented in Assembly, 1845, (see Jour. p. 439,) and referred to the committee on claims, but it does not appear that any action was had thereon during that session. In 1846, (see Ass. Jour. p. 107, 134,) a bill reported; (also Document No. 43, p. 317,) bill passed and sent to the Senate. Jour. p. 439; the bill was returned May 13th, and no report. 1847, referred to the committee on grievances, and no action. 1848, referred to the committee on grievances; (see Ass. Jour. p. 39, 282; also Doc. No. 45, p. 471,) bill passed, ayes 90, nays 1. See Senate Jour. p. 228, 240, 247 and 289, reported against. 1849, Assembly Journal page 109, 145, 147 and 152, the bill passed, ayes 106, nays 1; sent to Senate, did not pass. 1850, referred but no action. 1851, referred, but no action on the ground that a bill was pending which provided for a (general) law for the appraisal of all damages sustained by the owners of property along the canals of this State.

The lands are stated to have been worth near one hundred dollars an acre, at the time of the construction of the Erie canal, and but for the deterioration complained of, would now be worth that sum. In point of fact the petitioner has never been compensated for that loss, as the damages for taking his lands were appraised only at the sum of eighty-four dollars, and it is not probable that this injury was taken in the account or anticipated at the time of such appraisal as from the nature of the injury, and its slow and insidious character, it would not be immediately developed nor fully disclosed, probably, until years afterwards. Your committee are unwilling to encourage stale and unfounded claims, nor for the purpose of affording relief to cases of particular hardship, admit the adoption of principles which might in their results be carried to pernicious extremes. But convinced as they are that the petitioner has been a sufferer in his property by the construction of the Erie canal, that he is forced to become an involuntary claimant upon the State. And that this case is attended with several circumstances which distinguish it from the case of George Kinsella, which your committee reported against, (see Sen. Docs. 1852.) while no part of the reasoning of that report applies except with diminished force to this, your committee have thought it advisable to ask leave to introduce a bill for his relief, for the consideration of the Senate, your committee being well aware of the existence of the facts, stated in the foregoing report, and decline to the superior wisdom of the Senate the question of principle and precedent involved.

E. WARD, *on behalf of Committee.*

DOCUMENTS.

(A.)

(Copy.)

\$153

84

\$237

Glen, March 1st 1825.

Received, of Henry Seymour, Canal Commissioner, two hundred and thirty-seven dollars, the amount of an award made in my favor by the Canal Commissioners, in consideration of the damage which I have sustained by the construction of the Erie canal through my lands, in the town of Glen.

JOHN E. VAN EPS.

CANAL DEPARTMENT, }
Albany Jan. 20th, 1846. }

I certify the above to be a correct copy of a receipt on file in this office; and that it appears to be the full amount received by J. E. Van Eps, for the damages above described. He executed no deed to the State. The quantity of land for the taking of which, and for the damages growing out of the taking of which, the above is his receipt, is determined by a map on file, made by the Canal Commissioners. This shows that a strip of land on the tow path side of the canal, was taken, varying from twenty-four to forty links in width, from the inner edge of tow path.

G. W. NEWELL,
Chief Clerk.

(B.)

STATE OF NEW-YORK, }
Montgomery county, } ss:

I, William Johnson of the town of Mohawk, in the county of Montgomery, being duly sworn, depose and say, that I am in the forty-ninth year of my age, and that I have resided in the now town of Glen, and the now town of Mohawk, for the last twenty-eight years, and that I am acquainted with John E. Van Eps, of the town of Glen, since that time, and that he the said John E. Van Eps, occupied the flats about one mile west of the village of Fultonville, bounded on the west by the lands of Richard Hughner, on the east by the lands of Daniel O'Conner, and north by the Mohawk river; containing about fourteen acres of flats, and the map made by Thomas Machin, dated November 27th, 1844, is a correct diagram of the said flats, and that the said flats was good dry tilable land, with the exception of a small piece near the barn, from two to three rods square, from two to three years before the canal was completed as good as any flats along the Mohawk river, and since the completion of the Erie canal, from the best of my opinion, about six or seven acres of the said flats, by the leakage of the water from the canal, has completely destroyed them for agricultural purposes, and rendered them of no value. That the water in the canal is about five feet above the flats, the bed of the canal is on a very loose open slate rock, which must be the cause of the water spreading over the flats. And that I have cultivated and worked on the flats before the canal was completed, and that they were good for John E. Van Eps, and also since, a number of years, and that part on the maps marked injured, is of no value. And further this deponent sayeth not.

Mohawk, January 2nd, 1845.

his
 William + Johnson,
 mark.

Subscribed and sworn before me, and I certify that I read the above affidavit to him which he subscribed to.

January 2d, 1845.

J. GROFF, *Justice.*

STATE OF NEW-YORK, }
Montgomery County, } ss.

I, Nicholas Starin, of the town of Root, in the county of Montgomery, being duly sworn, depose and say: That

I am in the fifty-ninth year of my age, and that I was born in the now town of Glen, and that I lived on the lands of John E. Van Eps, the grandfather of John E. Van Eps, of the town of Glen, that I lived within half a mile of the flats bounded on the west by the lands of Richard Hughner, on the east by the lands of Daniel O'Connor, and on the north by the Mohawk river, containing about fourteen acres or thereabouts and all that part adjoining the Erie canal has been cultivated for forty years to my knowledge, and was as good flats as any along the Mohawk river, and produced good crops of grain, and heavy corn as I ever saw raised on any flats until the canal was completed. Since which time the flats lying north of the canal have been wet and have not produced any crops of much value, to about the centre from the canal to the river, and that in my opinion nearly one-half of the said flats has been of little or no value for grain or grass. And that I have worked on the said flats a number of years before the canal was finished, and I further state that the canal is along the foot of the hill and the flats; and on the north side it is about five feet above the flats, and the bed of the canal is on a loose slate rock, which in my opinion is the cause of all that part of the flats, has been and is injured by the water spreading over the flats, as it was not before the canal was made, and that I have known John E. Van Eps, to occupy and possess the said flats about thirty years past. And further this deponent saith not.

Glen, January 3d, 1845.

NICHOLAS STARIN.

Sworn to and subscribed this 3d day of January, 1845, before me, and the said deponent is well known to me, and the statements by him made in the foregoing affidavit are entitled to full credit, to all of which I certify.

JOHN HAND,

Justice of the peace of the town of Glen, in the county of Montgomery.

STATE OF NEW-YORK, }
Montgomery County, } ss.

I, Myndert Starkin, of the town of Glen, in the county of Montgomery, being duly sworn, depose and say, that I am in the fifty-seventh year of my age, that I was born in the now town of Glen, and that I have been acquainted with John E. Van Eps, of the town of Glen, from my earliest recollection, and that I am well acquainted with the flats about one mile west of the village of Fultonville, and bounded on the east by the flats of Daniel O'Connor, on the west by the lands of Richard

Hughner, and on the north by the Mohawk river, for forty years and upwards. And that I have worked on said flats about forty years ago and that the flats extended to the foot of the hill on the south side, and that they were good dry and tilable lands and produced good crops of grain, corn and oats, but generally corn, as the south side of the flats were too rich for wheat, until the year 1816, since which time I removed to the north side of the Mohawk river, about five miles distant from the said flats, and resided there about twelve years, and then removed to the village of Fultonville, and have resided there since that time. And that the said flats was as valuable as any along the Mohawk river, and that in my opinion the said flats owned and possessed John E. Van Eps, would be worth one hundred dollars per acre, if they was in the same state as when I first knew them, and until the year 1816; but the present situation I am unable to state. And further this deponent saith not.

Glen, January 3d, 1845.

MYNDERT STARIN.

Sworn to and subscribed this 3d day of January, 1845, before me. And the said deponent is well known to me to be a person of good moral character, and the statements by him made in the above affidavit are entitled to full credit, to which I certify.

JOHN HAND,

A Justice of the Peace in the town of Glen, in the county of Montgomery.

STATE OF NEW-YORK, }
Montgomery county, } ss.

I, John S. Quackenboss, of the town of Glen, in the county of Montgomery, being duly sworn, depose and say, that he is in the fifty-seventh year of his age, and that he has been acquainted with the flats owned and occupied by John E. Van Eps, of the town of Glen, situated about one mile west of the village of Fultonville, and bounded on the west by the lands of Richard Hughner, on the east by the land of Daniel O'Conner, and north by the Mohawk river. And that I have known said flats more than forty years, and that the said flats was good tilable lands before the Erie canal was completed, and have seen good corn on said flats, and that since the canal has been in operation I have, in passing by, observed that the part next the canal was injured by the water leaking through the canal embankment, and the water in the canal is about five feet above the flats, and that the canal is cut through a slate rock on the south side, which, in my opinion has destroyed said

flats, and rendered them of little or no value for agricultural purposes.* And that flats of no better, or the same quality are worth one hundred dollars per acre. And further this deponent saith not.

Glen, January 4th, 1845.

JOHN S. QUACKENBOSS.

Sworn to and subscribed this 4th day of January, 1845, before me. And the deponent is well known by me to be a person of good moral character, and the statements by him made in the above affidavit are entitled to full credit, to which I certify.

JOHN HAND,

A Justice of the Peace of the county of Montgomery.

Before the committee on claims of the Senate, Albany,
January 28th, 1852.

John S. Quackenboss, of the town of Glen, in Montgomery county, being sworn, says, that he made an affidavit in the matter of the claim of John E. Van Eps, on the 4th January, 1845, before John Hand a justice of the peace, which affidavit and the facts therein contained are true and correct according to his best knowledge and belief, which affidavit has this day been read to me and considered, and is seen in the Assembly Document No. 43 of 1846.

JOHN S. QUACKENBOSS.

Subscribed and sworn to the day and }
year first above named. }

NATHANIEL JONES, *Cha'n of said committee.*

* The words for "agricultural purposes," were interlined in the above before sworn to.

State of New-York.

No. 40.

IN SENATE, FEB. 25, 1852.

REPORT

Of committee on banks and insurance companies, on the act to incorporate the State Trust and Savings Bank, of Buffalo.

Mr. Cooley, from the committee on banks and insurance companies, to which was recommitted the bill to incorporate the State Trust and Savings Bank of Buffalo, with instructions to inquire whether the objects of said bill should be incorporated in one act; whether the objects of said bill ought to be blended together; and whether either or both of the objects of the bill can be attained under general laws; having had the same under consideration, beg leave, respectfully, to make the following brief

REPORT.

Your committee have been instructed to inquire:

1. Whether the objects of said bill should be incorporated in one act?
2. Whether the objects of said bill ought to be blended together?
and—
3. Whether either or both of the objects of the bill can be attained under general laws?

The import of the two first inquiries embraced in the instructions to your committee, appearing to be so nearly alike they may be considered as one question, and both requiring almost precisely the same answer.

To your committee, it is perfectly obvious, that the objects contemplated in the bill now under consideration, are two fold; indicating very clearly two distinct subjects; and the blending together of two branches of business, that have hitherto been regarded as entirely dissimilar in character, and uniformly conducted separately and apart, the one from the other. This fact appears to be no less apparent from the style and title of the bill itself, than from the very ample powers with which it seeks to invest the board of trustees, as provided for and set forth at large in the 2d, 6th, and 9th sections of it.

Should it be conceded on the part of the Senate, that the bill to incorporate the "State trust and savings bank of Buffalo?" embraces two, instead of one subject, as your committee are clearly of opinion it does, it will at once be perceived that the Legislature have no authority, whatever, to pass such a law; for it can only be done by violating a provision of the Constitution, expressly prohibiting the enactment of any such law.

The clause of the Constitution here referred to is this:

"No private or local bill, which may be passed by the Legislature, shall embrace more than one subject, and that shall be expressed in the title."

(Section 16, Article 3 of the Constitution.)

Although your committee consider this branch of the inquiry very fully answered in the negative, they, nevertheless, beg leave to present some further reasons why, in their judgment, the objects of the bill we are considering, should not be blended together, and passed in one act; lest the Senate, from its previous action in passing certain bills, since the commencement of this session, creating several corporations, in disregard, as is believed by some Senators, of the provisions in the eighth article of the Constitution, should deem the inhibition above referred to, as an insufficient barrier in this case to a further violation of the fundamental law.

The applicants for the passage of this bill, propose to unite, virtually, a savings bank which can have no capital stock, nor any

assets, whatever, except the money deposited therein by mechanics, laborers, servants, minors, and a class of poor people who are supposed, from their education and position, to be incapable of well conducting their own affairs; and who, of course, can have no voice in the direction of such bank, with a trust company, having a capital stock of \$100,000, which shall be conducted entirely by a board of trustees, who, together with those they may represent, shall be the sole owners of the bank.

Called to the administration and management of an institution so anomalously combined, and so peculiar in its character, it will readily be perceived that the trustees will have imposed upon them a duty of such exceeding delicacy, that, in the judgment of your committee, the result cannot be doubtful. The direct interest of the trustees and the other owners of the capital stock of the company, will, unavoidably, conflict very seriously with the interest of the poor depositors; the hard earned fruits of whose laborious toil, will have swelled the aggregated assets of the bank, on which large profits may accrue, only to be distributed in dividends, to a class of rich stockholders; while, by the provisions of this bill, the deposits of the most needy dealers of this institution will be left entirely at the mercy of its managers, and subject to all the fluctuations and hazards of the general business of stock jobbing, buying and selling of bills of exchange, and the management of trusts of every description that may be committed to the company, by any description of persons or corporations whatever.

It being impossible to serve two masters, to wit: to hold with an even balance self interest in one hand and disinterested benevolence in the other, nothing can be more certain, judging from experience, than that the love of gain, which must naturally predominate in the minds of the managers and stockholders of the institution proposed in this bill, will inevitably override "the luxury of doing good," which should ever be the guiding principle in the conduct of those who take upon themselves the responsibilities incident to the faithful and judicious management of a public charity.

Your committee have, moreover, another reason to advance in opposition to the proposed union of a savings bank with a trust company, which, by an exceeding latitude of power, wherewith it would fain be clothed, seeks to become the guardian of infants, the receiver of insolvent estates and broken corporations, and to take upon

itself the general management of a multifarious description of trusts and responsibilities, embracing a heterogeneous mass of business of unlimited extent.

The eighth section of the bill provides that the capital stock, property and the entire effects of the company, shall be held absolutely liable for the payment of certain trusts, that shall have a preference over all others, in the event of the corporation becoming insolvent, not excepting the poor widow's mite, though it be her all; nor the deposits of that large class of industrious individuals who are accustomed to lay by their small gains in savings banks against the hour of need; relying, as they do, upon the perfect security which is supposed to pertain to the transactions of institutions for savings.

Security to the depositors in savings banks, beyond the ordinary contingencies of a general business; nay, the most undoubted security, should ever be a paramount object of consideration with those who assume for themselves the high responsibility of keeping the earnings of the laboring classes; and it appears to your committee to be a matter of too grave importance to commend, by legislative sanction, this description of deposits to the custody of an institution, which by the express terms of its charter, seems to deem them a matter of secondary consideration.

Your committee have, therefore, come unanimously to the conclusion, that the objects of this bill ought neither to be blended together nor incorporated in one act.

Your committee have now to consider whether both or either of the objects of the bill can be attained under general laws.

By the 8th article of the Constitution, the creation of corporations by special legislation is clearly prohibited, except for municipal purposes, and in cases where in the judgment of the Legislature, the objects of the corporation cannot be attained under general laws.

Now, what are the objects of savings banks? Most assuredly, as your committee have already observed, security to the depositors; security the most ample and undoubted, not only for the funds of the institution itself, but also for the faithful and judicious management of its affairs. The rate of interest on deposits in savings banks, is a matter of subordinate consideration, and not entitled to the slightest weight, disconnected with the idea of perfect security for the amount of deposits

How may these objects be best attained? Most certainly not by granting to any and every description of persons, the right to organize savings banks; as must necessarily be the case, should the Legislature pass a general law for that purpose. Savings institutions judiciously conducted are among the noblest and most meritorious public charities that can well be devised; and they are the most beneficial in their results upon that large class of community, the laboring poor; who lay up in the early and more vigorous periods of life, the fruits of their frugality and industry, against the hour of sickness and the infirmities of declining years. They should, therefore, be watched by the Legislature with sleepless vigilance, lest they fall into the hands of dishonest and unscrupulous men, and through their mismanagement, become, instead of the most valuable, the most dangerous and pernicious in their consequences.

More than \$20,000,000 are doubtless, at this moment held on deposit by the savings banks of this State, the greater part of which belongs to the humbler classes of our people; and should any of these institutions for savings become insolvent through the fraud or mismanagement of its trustees, it would inevitably bring discredit and distrust upon all: a fearful distrust, that would occasion such a rush upon them by their depositors for specie as would most likely, not only plunge every savings bank in the state in irretrievable ruin, but would probably carry most if not all of the banks for general purposes down with them.

Your committee here beg leave to refer to what appears to be a dangerous and reprehensible practice in the manner of conducting the business and keeping the funds of savings banks. Under the general law for conducting the business of banking, an association is formed for general banking purposes; and simultaneously therewith, a savings bank is organized, having a special charter, while the directors of one institution are the trustees of the other; both, perhaps, bear the same name, are located often under the same roof, and, as your committee have been informed, the business of both institutions in some instances is done over the same counter; the funds of both are deposited in the same vault, and indiscriminately used by the general bank in the ordinary pursuance of its business, allowing the savings bank a low rate of interest for its deposits, without, however, being required to give any security whatever for such deposits, which in some instances amount to hundreds of thousands of dollars. These large deposits of the savings institution are used by the general bank

in discounting notes and bills of exchange, subject to all the hazards and risks of the ordinary business of banking, which has not unfrequently been attended with disastrous results.

Should a bank of this description, while possessed of large deposits of the funds of a savings institution, become insolvent, the savings bank itself must indubitably share in the common ruin. Under this state of facts it is, in the judgment of your committee, incumbent on the Legislature to interpose, as speedily as possible, some salutary check to avert the serious consequences, that are but too justly apprehended from such a loose and unjustifiable manner of conducting the business of savings banks. And it may not be impertinent here to add that your committee have now under advisement and will soon have the honor to ask leave to present for the consideration of your honorable body a bill, having the necessary provisions to remedy, it is hoped, in no inconsiderable degree, the grave evils that so apparently exist under the present system.

Your committee have no hesitation in saying, that these considerations alone, though other powerful reasons might be adduced, are in their opinion sufficient to deter legislative enactments for the organization of savings banks or institutions for savings under general laws.

It remains for your committee yet to enquire whether the objects of a trust company may be attained under general laws?

The reasons which your committee have had the honor to submit in opposition to the formation of corporations for savings banks, under general laws, are also applicable, to some extent at least, to the question of creating trust companies otherwise than by special enactments. Although entirely unlike in the character of their operations, yet savings banks and trust companies may be considered as kindred institutions. The principles that are to be observed in successfully managing the one should also be strictly adhered to in the conduct of the other. Like the elder and the younger branches of a nobleman's family, though having an equally high and a common origin, their social and political relations are at the same time distinct and in all respects dissimilar. One is, perhaps, born to inherit a crown, while the other, though equally meritorious, it may be, seeks in a distant, and perhaps deleterious clime, a subordinate, though no less useful, position in the public service. While the savings banks may be regarded as the humble and safe pocket of the poor, the

sacred receptacle of the aggregated mites of the masses, the trust company assumes to be the strong box of voluptuous wealth, which, by various means, is poured into it and there safely lodged for the benefit of a totally different class of the community.

The savings bank, too, is unlike a trust company in that it has no capital, and no accruing profits to be distributed amongst its benevolent directors; it is in short, a charitable institution, and should be conducted entirely for the benefit of the poor. On the contrary, a trust company is a corporation of combined capital; managed by, and for the sole advantage of its proprietors. Yet the public welfare requires that both these institutions should be equally well guarded against the possible contingency of disasters. And, as this important consideration is more likely to result from the high characters of those who may be called to the direction of institutions so interesting and important, than from any other source, your committee have come cordially to the opinion, that trust companies, no less than savings banks, should be authorised only by special legislative enactment.

Entertaining these views; and believing, moreover, the locality for the trust company proposed in the bill recommitted to us, favorable for the establishment of such an institution, your committee beg leave again to report the bill to the Senate as amended, and recommend its passage.

J. E. COOLEY,
M. W. KIRBY,
WILLIAM BEACH.

Committee on Banks and Insurance Companies.

State of New-York.

No. 41.

IN SENATE, FEB. 18, 1852.

COMMUNICATION

From the Governor transmitting the memorial of a committee of the American Association for the advancement of Science, on a Geographical Survey of the State.

STATE OF NEW-YORK,
EXECUTIVE DEPARTMENT,
Albany, February 18, 1852.

To the Senate :

I have been requested to transmit to the Legislature the accompanying communication from a committee of the American Association for the advancement of Science, on the subject of a trigonometrical survey of the State.

The considerations presented in favor of such a survey are entitled, not less by their intrinsic force than by a just regard for the distinguished source from which they emanate, to your enlightened and favorable attention.

It is believed that measures may be adopted for the gradual accomplishment of the object, at an expense which will appear inconsiderable when compared with the importance of the work and the advantages to result from it.

**The example of other governments, in furnishing to the world
an accurate delineation of the topographical features of their**

[Senate, No. 41.]
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[u.n.&300.]

territory, ought not to be disregarded in a country like ours, presenting so many inducements in favor of similar contributions to the cause of liberal knowledge and scientific advancement.

I submit the subject to your consideration, believing that an early commencement and judicious prosecution of the proposed undertaking would redound to the honor of the State, and promote its highest interests.

WASHINGTON HUNT.

MEMORIAL

To the Governor and Legislature of the State of New-York by the American Association for the advancement of Science, acting through its committee.

The American Association for the advancement of Science, during its annual meeting held at Albany in the month of August, 1851, instructed the undersigned committee to communicate to you the views and opinions entertained by the association upon the subject of an accurate and strictly scientific survey of the State of New-York,—a survey of precisely the same character as that which forms the basis of the topographical map of France, as the trigonometrical survey of Great Britain, the geodetic portion of the coast survey of the United States, and as the triangulation of the sister State of Massachusetts. In the execution of this duty the undersigned respectfully beg leave to submit to you the following brief considerations.

It has not escaped the attention of the committee that those whom they address are fully competent to form an independent estimate of the importance of the work proposed, and that if the Legislature should think proper to appoint committees for its consideration, they could be readily furnished through their own channels of inquiry, with the information necessary to guide their counsels and govern their decision. The undersigned are also aware that they cannot present any argument or reflection entitled to so much weight as the simple recommendation of the association, adopted after mature discussion.

The American Association for the advancement of Science has hitherto had the good fortune to receive from the public bodies to which it has addressed itself, the most favorable regard. It is perfectly aware of the grave responsibility imposed upon it by

these marks of respect and consideration, and is therefore careful not to utter sentiments and opinions, whether speaking through its committees or otherwise, which cannot bear the most rigid scrutiny. Under this sense of duty and responsibility the present committee is now acting.

The committee not doubting that the subject which they have been directed to present to you will receive your best deliberation, do not propose to enter into an elaborate argument in relation to it, but rather to express such views as most naturally present themselves in considering it.

A trigonometrical survey of the State of New-York is of unusual interest, from the great extent of its territory and the varied character of its surface. This extent is such that with the present sparseness of population a correct map cannot be expected for many years to come unless through State enterprise, presenting a strong reason for immediate action by the Legislature. The diversified character of this region not only affords the finest possible field for a topographical survey, but suggests the idea that the vast unemployed resources of the State can never be fully known and developed until a perfect map of its surface has been given to the world.

The accurate mapping of the mountain ranges of the State, of the Catskill, the Alleghanies, and Adirondacks, of the beautiful lakes which occupy the centre of the State, and of those on its eastern and northern borders, the remarkable passage of the Hudson through the Highlands, and the unique and unequalled features of Niagara, would of themselves be a most important contribution to physical geography.

New-York and Massachusetts stretching from the ocean to the great lakes, with the ultimate triangulation of the lakes by the United States, would furnish an admirable measurement of a parallel of latitude of more than eighteen degrees in extent, a most interesting contribution to the knowledge of the figure of the earth. The triangulation of New-York, in connection with that of its sister State already completed, would form the nucleus of a complete survey of the whole United States.

Geodetic and topographical surveys of their territory have been made by nearly every government of the civilized world, France, Great Britain, Russia, Prussia, by the smaller states of Wurtemberg, Bavaria, Denmark, Sardinia, Switzerland, and even by many of the smaller States. It is a contribution to the knowledge of the general and particular features of parts of the earth's surface, which every State owes to the family of nations.

The services which a careful geographical survey would render in prosecuting meteorology, geology, land surveying and civil engineering, in locating roads, railroads, and canals, and developing the manufacturing resources of the State, would be so great as amply to reward the enterprize. The yearly saving in transportation alone, by the improvement of roads, would pay for such a work many times over.

The development of the almost unknown regions north of the Mohawk, and of the vast hydraulic power now latent there in the tributaries of the St. Lawrence, and the upper Hudson, would of themselves repay to the State the outlay for a survey.

On the subjects of the importance of such a survey to complete the inquiries already undertaken by the State in geology, and meteorology, and in reference to internal improvement, the committee beg leave to refer to the letters appended to this memorial.

These services, however, from their very nature cannot be definitely foretold; the fruits of knowledge are not always foreseen, but this is undeniable, that from knowledge good fruits will sooner or later certainly mature.

It might appear presumptuous in the committee to pursue this topic; certainly no persons can be better informed upon it than those whom we address. But the committee cannot turn from the view without saying that it is one of profound concern to the statesman and political economist; that in no part of the world, has it been more fully and advantageously entertained, than in the State of New-York, as her great public and private enterprises abundantly testify, and that it still holds out promises of future usefulness which cannot be exceeded.

The committee would further call your attention to the influence of such a work upon the education of the State. A minute and accurate survey of your whole territory, presented on maps, possessing that precise and expressive delineation of which topographical drawing is now capable, will be particularly suited to the use of the common and higher schools; taking the place of the present imperfect maps, they will raise the standard of geographical instruction, and give a strong impulse to the science of physical geography, which is about to become an important branch of elementary instruction.

Another influence of the survey, will be to establish a school for this branch of engineering, which cannot fail to be of the highest benefit to the State.

Beyond the limits of the coast survey of the United States and the topographical survey of the great northern lakes, there are necessarily but few persons in this country who are informed upon the science of geodesy. The introduction of such knowledge, and the rendering of it familiar, must be regarded as important objects.

The last suggestion which the committee will make, is the general relation of this subject to the cause of science, which will thus be essentially promoted. The committee think this view, however abstract it may now seem, will command the attention of the Legislature of a State which has derived so much from physical improvement, which is inexhaustible in its resources, already illustrious for its patronage of learning and the arts, and honorably ambitious to bear a part proportionate to its wealth and greatness, in this sure and safe method of advancing the glory of our common country, and the best interests of mankind.

The American Association for the advancement of Science, is well aware that in addressing this memorial to the Governor and Legislature of New-York, it will not be regarded as an unwelcome intruder, but rather as a friendly and welcome co-laborer in the cause of knowledge and humanity.

Respectfully submitted on behalf of the American Association
for the advancement of Science, by

A. D. BACHE,
O. M. MITCHELL,
CHARLES W. HACKLEY,
W. M. GILLESPIE,
ELIAS LOOMIS,
SAMUEL B. RUGGLES.
E. B. HUNT.

Albany, Feb. 17, 1852.

EXTRACT

From the proceedings of the American Association for the Advancement of Science, at the Albany meeting, 1851.

Proposal for a Trigonometrical Survey of New-York, by LIEUT. E. B. HUNT, *Corps of Engineers, U. S. A.*

The importance of obtaining accurate delineations of the leading geographical features of this country, is so obvious and so generally conceded, that it would be superfluous here to elaborate arguments in its proof. Geography is no longer content with the vague information of first reconnoissances, but demands the aid of accurate methods, and the most perfect instruments. Geodesy, topography, and hydrography, are indispensable handmaids to any geography worthy a civilized nation. In a country like ours, where so many physical features are new and interesting, it is particularly needful to obtain an accurate representation of the multiplied accidents of ground. There is a grandeur and sublimity even about many of the characteristics of our broad territory, which may well make us proud to picture, in topographical language, all the natural features of this home of a nation—now great, and soon to be the greatest.

A nation's home, its mountains, valleys, rivers, lakes, climate, and productions, enter so largely into its history and very vitality, that a great importance must necessarily be attached to accurate knowledge of all these particulars. The geography of a country contains a prophecy of the history of that train of nations, which in turn act their parts on it as a stage. The mountains of Switzerland and Scotland foretold, ere man's creation, the histories of a Tell and a Bruce. And here we are in a new world—a world of wonders, over whose surfaces is written these cryptic prophecies of the ever-widening vista that is to be. Where is the prophet who will interpret these hieroglyphics? Philosophers are all prophets within the sphere of their knowledge; being made

such by their knowledge. Let the land and water of our country be truly delineated, and we may then forecast the future of our history. This forecasting should not be in a spirit of vague wonder, but with an intelligent purpose to regulate and rightly act our normal part in history. The social and political prospects of our country are so commingled with geographical influences, that in the highest sense is it important to become familiar with the features of our wide territory.

This country is eminent for its internal improvements, and it is evident how great would be the advantage of accurate surveys in connection with this rapidly growing system. How much accurate maps are needed, every one must have felt who has travelled through the common roads of the country. The vicinity of every considerable town should be so represented, that a stranger can understand the net-work of highways around it. In the thousand ramifications of common social life, the convenience and use of accurate maps is felt. Millions of miles are needlessly travelled for the want of proper maps.

Surveys of the geographical features of all the States in the Union, with the exception of Massachusetts, and perhaps New-Jersey, are now and must ever remain eminently needed until they shall be actually made. It is evident that the time is not distant when these will be emphatically called for by all the combination of needs which require them of every scientific or civilized nation. They will be made; and why not soon enough to give us the benefit of their results? It is certain that if we are among those nations alive to the power and benefits of the sciences characterizing civilized society, the States of this Union must in turn be surveyed with that nice accuracy which geodesy now demands and furnishes. We may then best enter at once on this labor, so that the benefits as well as the labor may be ours, while those who follow us may enjoy the benefits without the labor.

It has seemed to me in view of these and many other considerations which need not here be adduced, that it is fully time for New-York to undertake an accurate geographical survey of her whole territory. With a population of three millions, with

wealth and resources making her not unworthy the name of Empire State, with an enlightened Legislature, which has ever nobly favored science, with thousands of highly educated citizens, who would fully appreciate the advantages of accuracy in its geography and topography, with these and many other stimulants for doing its high duty, it has seemed to me very proper here to propose in serious earnest that a beginning should be made. To nearly every member of this association I am convinced this subject need but be named to ensure hearty appreciation.

In this association, now convened in the capitol of the very State in question, I see the most proper body for actively urging the claims of this proposal on the government of New-York, Here, if anywhere, is a fair and honest tribunal for the trial of this proposal, and one to whose verdict respectful attention will surely be conceded. Permit me now to say, that when science fairly urges her claims, in the spirit of honest true-hearted devotion to her own high ends, she will ever find in our legislators a ready and liberal response. Let us speak out truly our real wants, and we shall surely be heard.

The idea which I have conceived of what a survey of New-York should be, is about the following: Let a base be measured in Western New-York, and made the starting line for a system of primary, secondary and tertiary triangulation, extending towards Pennsylvania and New England. A connection will be obtained in the Hudson valley with the coast survey triangulation, giving the desired verification. Plane tabling should extend first over the ground around the cities and large villages, so as soon to furnish good maps of the principal cities and villages and their vicinities throughout the State, excepting such as are already covered by the coast survey operations. The work should then be extended so as to obtain the elements for complete county maps, to be published in the general order of population of counties, or per square mile. The hydrography of the interior lakes should also enter the scheme. A general State map would follow these. In regard to harbors on the lake coast, it is a question whether their surveys should not be left to the general government, the data being furnished from the State survey. In point of accuracy and style, the work should not fall essentially below

that of the coast survey, and might perhaps well be assimilated to the operations for a single section of the coast. These general hints seem sufficient on this point.

The subject now submitted is one which, I trust, will command the cordial support of this association; and it is impossible to check the hope that, ere long, New-York, like Massachusetts, will be able to show a fair presentment of her magnificent area. It is not by chance, but by design, that this matter is presented with special reference to this State. Circumstances seem particularly to point to it as the State most needing such a survey, and best able to undertake it. Myself a native and earnest well-wisher of New-York, though now owing a first fealty to all these States united, it will be a grateful imagination to fancy those pictures of her widely diversified and village dotted territory, which would result from the proposed survey. Flanked by the beautiful Hudson and the sublime Niagara, adorned by her group of peaceful lakes, her towering Adirondacks and Catskills, the picture would delight the artist, interest the philosopher, and instruct the statesman.

With the purpose of giving practical form and initial existence to the geographical survey of New-York, and to express what may fairly be presumed to be the sincere desire of this association. I would now move the following resolutions:

Resolved, That the president of this Association be requested to appoint a committee of seven members, to prepare a memorial in the name of this association, to be addressed to the Governor and Legislature of New-York, urging the speedy commencement of a geographical survey of that State, and presenting a matured project of that kind of survey deemed most desirable, with a careful estimate of its cost. This memorial to be duly presented, if possible, before January next.

Resolved, That this committee be requested to consider the general subject of State geographical surveys, and to report thereon at the next annual meeting.

These resolutions were referred to the standing committee and approved. They were then reported in general session, passed unanimously, and the committee appointed.

*Remarks on the ECONOMICAL ADVANTAGES of a Geographical Survey
of the State of New-York. By Prof. W. M. GILLESPIE.*

Among the economical advantages to be derived from the survey recommended, two prominent ones are the facilities which it will afford to the prosecution of works of *internal improvement*, and its use in the permanent determination of the *boundaries* of the landed property of the State and of individuals.

A. INTERNAL IMPROVEMENTS.

Numerous and wide-spread as are the internal improvements of the Empire State, they are yet but the germs of those which will be eventually required by her increasing population and wealth.

RAILROADS.

As to her *railroads*, compare her few (though leading) lines with the net-work which covers the maps of England, or even that of our eastern sisters, and the wide gaps, the immense areas of wilderness, unreached as yet by these avenues of development, will show how much remains to be done. The proposed trigonometrical survey will facilitate this in a remarkable degree in the following manner. Long after the advantages of a railroad through a little known region are suggested, felt, or even universally conceded, its practicability may remain a matter of doubt, and unknown engineering difficulties may long continue the bugbears of the enterprise. To remove them, a survey is required. But the very extent of the benefits which this will produce, repels individuals from bearing its expense. When, however, the proposed trigonometrical survey is completed, its maps will at once decide the question. They will show at a glance whether the proposed operation be practicable or not; they will point out its most economical line; they will show its "ruling points;" the

heights of the mountain passes which it must cross ; the depths of the valleys which it must embank, and the width of the rivers which it must bridge ; while they would often surprise and delight the undertakers by indicating a line of easy grades and curves between places separated on the usual road by mountains which may be gone around, and swamps which may be drained.

These revelations the survey will make incidentally but necessarily, as the systematic soundings of the U. S. coast survey in the bay of New-York, when mapped in their due positions, revealed at once "Gedney's channel."

These maps will even supply an approximate estimate of the cost of the desired railroad, and by their portraiture of the country which it is to lay open, will enable us to approach near to its probable revenue and profits. This is no fancy picture, but is now realized by the "ordnance survey" maps of Great Britain, which enable the chief engineer in his study to lay down on the maps the line of a railroad, to be subsequently traced instrumentally on the ground by his assistants.

PLANK ROADS.

Still more useful will their facilities be in the less costly roads in which an accurate survey would form a larger per centage of the total cost. *Planteroads*, the farmers' railroads, on which he can so profitably use his own vehicles when they would otherwise be idle, are as yet but beginning to diffuse their benefits, despite the two thousand miles registered in the office of the Secretary of State. Too often their projectors are contented with the advantages obtained by their smooth and hard surface, unaffected by the changes of the seasons, and do not know that these gains would be made manifold greater by improvements in their grades, which such a map as will result from these surveys would secure by mere inspection, without incurring the expense of a special professional examination.

COMMON ROADS.

Common roads too, continue to follow the original horsepaths which at first led from house to house perched on the tops of neighboring hills, when similar information would often allow a level

and straight road to take the place of the steep ascents and descents, and the circuitous lines by which communication between villages is made expensive and often dangerous. The lowest calculation of the time lost, and the expense of extra draft produced by these defects in our present roads, would probably amount to an annual sum equal to the total cost of this survey, which would afford means for removing the evil. Other improvements too, will share in these benefits.

CANALS.

The State Engineers, during the last summer, have been making a laborious and tedious, and therefore expensive survey, of the Cayuga and neighboring lakes, in order to determine the practicability of bringing their waters to feed the enlarged Erie canal. They found the State maps of that district not only very vague and indefinite, but absolutely erroneous, and seemingly made by eye-sketches in the place of surveys. This labor the proposed trigonometrical survey would have rendered needless, and not only this special labor but all future similar operations.

WATER SUPPLY.

The *supply of water* to towns will constitute an important part of the future labors of our engineers. Frequently a town suffers from the want of this prime necessary of life; while very near it is a pond, or series of springs, far above the level of its steeples, abundant and pure as could be desired. The fact was unknown to the inhabitants, because the eye can never judge accurately of comparative and distant heights, while the instrumental determinations of this survey would make their good fortune at once apparent.

B. BOUNDARIES.

The preceding remarks have slightly indicated the advantages of the proposed measure, as it affects the economy and wise conduct of our future internal improvements. Its uses in determining *boundaries* will next be noticed.

BOUNDARIES.

How important and desirable it is to determine with accuracy and permanency the boundary lines which separate one man's

property from his neighbor's, and one town from the next, is shown by the received belief that the Egyptian need of land surveying created the science of geometry, and is familiar to every one who has himself owned the smallest strip of land, or has seen the strifes of his neighbors, caused by real or imagined encroachments.

The legal members of the Legislature are well aware how numerous and important are the cases in the courts arising from this cause. We learn from those familiar with the State maps in the office of the Surveyor General, that many of the old surveys are incredibly erroneous and deficient. One man buys land, there represented and taxed as having a fine water front on a lake, and finds it all sunk in its middle. Another finds his meadow on the top of a rocky mountain. Two adjoining plats of ground fitting together perfectly on the maps, are found when surveyed to overlap; while two others leave between them an unclaimed gore. These difficulties arise from the imperfections of the original compass-surveys. It is now well known that "triangulation" is the only accurate method; it affords fixed points from which the ordinary land surveyor can take his departure, and to which he can return to "prove his work."

COMPASS VARIATION.

Again, a large majority of the inconsistencies of surveys, and of the subsequent disputes about the "*lines*" of farms, arise from the neglected "Variation of the Compass." Every one knows that the compass needle varies from the true north, in different degrees in different parts of the country, but comparatively few know that the variation itself varies from year to year, being at the present time and for the last thirty-five years on the increase, while before that it had been decreasing from the earliest records in this country. The surveyor who is ignorant or regardless of this, being called upon to resurvey a farm by the bearings of an old deed, none of the old lines remaining, runs out a *new* piece of land of precisely the same size and the same shape as the original one, but with none of its lines coinciding with the old lines, so that the new survey encroaches on another man's land on one side, and abandons part of its own ground on the other. A suit

at law follows, and in no class of cases is the testimony more contradictory and the decision more perplexing. A member of the present committee recently had a case presented to him by a judge of our highest court, in which the original survey of a very extensive tract in this State had been made a hundred and forty years ago; a second surveyor, a half century later, had correctly run the line, making the proper allowance for the change of variation in the interval; a third surveyor, twenty-four years later, ran the line without making the due correction, and therefore obtained a new and false line; and lastly, a fourth surveyor, fifty-six years afterwards, had correctly retraced the line established by his predecessor, but consequently not the true line. The evidence respecting the marks of these four surveys, all claiming to be correct, presented a case at first seemingly incapable of solution, but finally unravelled by proper corrections for the "change of variation." Now all similar difficulties would be prevented for all future time, by the following provisions. As a part of the proposed trigonometrical survey, let monuments indicating the true north and south be placed in every town. Let every surveyor, at stated intervals, try by this line the variation indicated by his compass at that time (which would be as easy as taking the bearing of a fence,) and note it on his survey. Another surveyor, years or centuries afterwards, trying his compass by the same monuments, could determine, with entire certainty and precision, the proper allowance to be made to retrace the original line. The placing these monuments on a true meridian line, could be effected by this trigonometrical survey, in connexion with its other labors, at almost no expense, the necessary instruments and the operators being on the ground.

Such would be another great economical advantage of this survey.

WM. M. GILLESPIE.

Notice of some of the advantages which would result to the science of Meteorology from a trigonometrical survey of the State of New-York. By Prof. Loomis.

The science of Meteorology would without doubt be greatly promoted by an accurate trigonometrical survey of the State of New-York ; a survey which should determine not merely the latitude and longitude, but the elevation above the sea of the most important points throughout the State. Such a survey would give increased value to the meteorological observations which have heretofore been made under the direction of the Regents of the University ; and especially to those observations which are now in progress. The present system includes observations of the barometer, thermometer, rain, wind, &c., and with reference to each of these a trigonometrical survey is desirable.

The height of the mercury in the barometer, it is well known, varies with its elevation above the level of the sea ; and for the purpose of comparing the observations made at the different stations of the State, the altitudes should all be reduced to the same level. When a violent storm passes over the earth's surface, it is accompanied by a disturbance of the atmospheric pressure as indicated by the barometer. In comparing these observations for the purpose of analyzing the phenomena of the storm, we wish to determine where, at any given instant, the pressure is greatest and where it is least,—or rather, where it would be least if all the stations were on the same level. Now this cannot be determined unless we are able to reduce all the observations to a common level, and for this purpose we must know the altitudes of the stations.

The barometer is very extensively used for the measurement of weights, but the data which are employed in the computations are derived from a too limited number of observations. A careful comparison of all the observations made at the several sta-

tions in this State, if accompanied by a knowledge of their elevations, would enable us to correct the formula for the determination of heights by means of the barometer; and in particular, it would enable us to compare the fall of the barometer caused by ascending an insulated mountain peak near the sea, with that belonging to an equal elevation in the interior of a continent, the ascent to which is so gradual as scarcely to be perceived. Such observations would also furnish new information respecting the law of diminution of density of the atmosphere as we ascend from the earth's surface; and throw new light on the theory of astronomical refractions, one of the most important and difficult problems in astronomy.

The thermometer also, as is well known, is affected by elevation above the sea, and this elevation must be determined in order to enable us to make a proper comparison of the observations at all the stations. In arranging a system of meteorological observations, the ultimate object which should be kept steadily in view, should be the discovery of the laws of nature. We wish to determine not only *how much* one station is colder than another, but *why* it is colder. If we compare the mean results of the observations made for nearly a quarter of a century at the academies of this State, we shall find many perplexing anomalies. Thus, the mean temperature of Albany is four degrees higher than that of Homer in Courtland co., although both are on the same parallel of latitude; Poughkeepsie is three degrees warmer than North Salem, although situated considerably north of the latter station; Fairfield, Utica and Lewiston are nearly on the same parallel of latitude, yet Utica is two and a half degrees warmer than Fairfield, and Lewiston four degrees warmer than Fairfield. East Hampton and Aurora in Cayuga co., have the same temperature, yet the difference of latitude of the two stations amounts to one and three quarters degrees. Potsdam in St. Lawrence county, is one and three quarters degrees north of Pompey, in Onondaga co., yet Potsdam is nearly a degree warmer than Pompey. These anomalies are probably in part due to errors of the thermometers employed, and they are in part explained by difference of elevation of the stations; but after proper allowance has been made for these causes, it is doubtful whether

these anomalies will wholly disappear. It is highly important to the interests of science that these observations should be fully explained. Until this is done, we cannot be said to know fully why one station is warmer or colder than another; and one of the first steps in this investigation must be to determine the exact elevation of all the stations and the correction of mean temperature due to this circumstance.

One of the methods now frequently practiced for determining the height of mountains, is to observe the temperature of boiling water. This method is very convenient, but unfortunately we have not the data necessary to render the results as accurate as could be desired. A careful comparison of all the observations in the State, if accompanied by a knowledge of the elevation of the stations, would afford more accurate knowledge respecting the dependence of temperature upon heights, and enable us to correct the formula by which elevations are derived from the temperature of boiling water.

If we compare the average fall of rain in the different parts of the State, we shall find anomalies still greater and more perplexing. It is well known that the amount of rain varies generally with the latitude, and also the elevation of the place; but neither of these causes, nor any probable error in the observations, will account for all the anomalies. The proper course to be pursued in this investigation, will be to apply the requisite correction for all known causes which influence the fall of rain, and then compare the residual quantities to see if they can be traced to any law. It is not improbable that the amount of rain in this State, will be found to depend partly upon the longitude of the station. The following results of observations made near the parallel of forty-three degrees, and extending from the Hudson river to lake Erie, point to such a conclusion.

Average annual fall of rain at

Albany,	40.92 inches.	Pompey,	29.46 inches.
Johstown, ..	39.89 “	Onondaga, ..	31.40 “
Cherry Valley, ..	40.83 “	Auburn,	34.46 “
Fairfield,	36.60 “	Rochester, ..	31.20 “
Utica,	40.57 “	Lewiston, ...	22.41 “
Cazenovia, ...	38.34 “		

The average fall of rain at the five most eastern stations here mentioned, is ten inches greater than at the six most western stations, being equal to *one-third* of the entire fall in the western part of the State, while the average height of the two sets of stations is nearly the same.

The general direction of the wind is believed to be everywhere determined by astronomical causes, modified by the agency of heat, and throughout the State of New-York the prevalent wind deviates but little from the west. But at the surface of the earth, the direction of the wind must be greatly modified by the inequalities of the surface. It probably will not be questioned that a valley lying between two ranges of hills must cast a modifying influence upon the direction of the surface wind. Such an effect appears to be produced by the valleys of the Mohawk and the Hudson. Now when we are analyzing the observations of the wind in the case of a storm for the purpose of discovering general laws, it is important to know whether the direction of the wind is modified by local causes, and if possible, to estimate the influence to be ascribed to them. M. Bauerkeller, of Paris, has published a series of maps which exhibit a *model* of the surface of the earth, where the mountains are all represented by ridges of proper height, according to a uniform scale. Such a model of the State of New-York, would indicate at once to the eye what causes might exist to modify the direction of the wind at each locality. It would also furnish geographical information interesting to every citizen of the State, information which will be sought for in vain from any maps or books hitherto published.

It may perhaps be thought that most of the levelings required for the objects here referred to have already been made in connection with the various canal and railroad surveys. But very few of the meteorological stations of the State have ever been carefully connected with any public survey; and it is doubted whether those surveys possess that degree of accuracy which is desirable in a question of science. According to the survey of the Erie canal, Lake Erie is 565 feet above tide water at Albany; according to the New-York and Erie railroad, its elevation is 569 feet. Now the height of Lake Erie varies several feet from one

year to another, and I cannot ascertain whether the above numbers are referred to the same standard, or merely indicate the level of the lake at the time the surveys were made. It does not appear that proper attention has been paid to refer these levels to permanent and accessible marks. The height of tide water at Albany is also a vague term of reference, and it is not known how it compares with the level of the ocean. It is desirable that all these levelings should be revised and verified, and that numerous permanent marks should be established which can hereafter be referred to as authority. An accurate determination of the height of Lake Erie would be of immense value as a standard for a large portion of the western country, as the level changes but little through Lakes Erie, Huron and Michigan.

LETTER FROM PROF. HALL.

PROF. BACHE:

Dear sir:—Your favor of the 25th November, has remained unanswered so long on account of several occasions of absence from home, which have interfered with my regular pursuits. If not yet too late, I will now offer a few observations on the advantages of a thorough topographical survey, to geological science generally, and to the survey of New-York particularly; mentioning some points of importance among many others, which might be named.

Having no established points, the working of the geological survey, as laid down upon the map, could only approximate the truth; and though we know the boundaries of all our formations, yet no one point or line is positively fixed, in reference to latitude and longitude. A few of the most important elevations have been ascertained by barometer, and we have taken advantage of the former surveys for canal routes, to fix the elevation of certain formations along those lines; but these fail us for application to accurate geological investigations. By a little attention to the subject, a topographical survey of the State would enable us to ascertain the actual elevation of many of our formations, and to determine whether the apparently parallel and conformable deposits are really so or not, and thus to learn positively, what changes of level were taking place in the bed of the ocean, during these apparently consecutive and continuous formations. This point when taken in connexion with the fauna of the successive periods, would be a subject of very great interest. We wish also to know whether the force which has apparently uplifted all our formations, has acted equally and simultaneously over the whole, or whether some part of our sedimentary deposits may, in the course of uplifting have suffered undulatory movements in the line of strike; or whether the process of eleva-

tion may have been going on while some portions were in the course of deposite. This knowledge would, I am sure, give us a clue to the explanation of many physical phenomena, which have occurred since the elevation of our State, and which in the absence of this knowledge, we fail to understand and properly appreciate.

I might mention numerous examples where this knowledge would be applicable, and the absence of which is supplied by speculation and hypothesis. The proper determination of the elevation of lake and river terraces would set at rest many speculations and give us data which we greatly need, and for the want of which our knowledge is uncertain, and unsatisfactory.

We require a thorough topographical survey and map, for the purpose of showing the extent and direction of the denuding agencies which have operated at different periods and which cannot now be properly studied for want of the means of recording observations. The subject of drift is one occupying the attention of geologists, and until we can show the extent and comparative elevation of the drift due to different causes, geologists can never understand each other's views, nor arrive at any solution of the difficulties with which the subject is at present surrounded.

In its economical advantages such a survey is of the first importance to the State. One of the first requisites of a State having the resources of New-York, should be a map on which are laid down the beds and veins of all workable ores; and by connecting geological observations with the survey contemplated, this could be accomplished in the most perfect manner.

In the general advantages to the people of the State, such a survey would be of incalculable advantage. It would be the foundation of every new enterprise. Having the elevation and outlines of every geological formation, and knowing the thickness of each rock and its character, the feasibility of a railroad or a canal route, a plank road or a common road could be determined without sending into the field a surveying party. Not only so, but the profiles could be laid out, and the kind and amount

of excavation and its consequent cost, could be determined with a close approximation to accuracy. In these matters alone the survey would be a vast saving to the people of the State, as well as giving them the positive knowledge of their position, relatively to all the physical features and physical advantages of their territory.

It appears to me that when the plan is once placed before an intelligent community, each one in his own pursuit, whether practical or scientific, will fill up the details for himself, and appreciate the advantages it will bring to his own and collateral objects.

I scarcely know whether I have fully understood or appreciated your inquiries. Of the many advantages to geological science, I have mentioned but a few only, and by going further into details, I could show how a careful examination, and a connection of our geological observations with such a survey as this is proposed to be, will give us a very accurate knowledge of the physical condition of this portion of the country during every interval marked by successive geological deposits, or by distinct faunas, from the earliest to the latest period.

Very truly yours,

JAMES HALL.

State of New-York.

No. 42.

IN SENATE, FEB. 18, 1852.

COMMUNICATION

From the Comptroller in answer to a resolution from the Senate relative to compensation paid clerks and other officers of the Legislature of 1851.

**COMPTROLLER'S OFFICE, }
Albany, Feb. 16, 1852. }**

TO THE SENATE :

The Comptroller, in compliance with the following resolution of the Senate, viz:

" IN SENATE, Feb. 6, 1852.

" Resolved, That the Comptroller be requested to report to this body the amount of per diem allowance, mileage charged, extra pay and regular compensation, in separate columns, made to the clerks, deputy clerks and other officers respectively, of the two houses of this Legislature for the last session.

" By order,

"IRA. P. BARNES, Clerk."

respectfully submits the annexed statements showing the amounts paid to the clerks, deputy clerks and other officers of the Senate and Assembly for the regular and extra sessions of 1851.

J. C. WRIGHT, Comptroller.

STATEMENTS

Showing the amounts paid clerks and deputy-clerks, and other officers of the two houses of the Legislature, for the regular and extra session of 1851, being the amount of their regular per diem compensation and extra pay, prepared from the books of the Comptroller's office, and vouchers of moneys paid by the clerks from the contingent fund of the Legislature, in obedience to a resolution of the Senate, adopted February 6th, 1852.

WILLIAM H. BOGART, Clerk of the Senate.

1851.

April 19.	Comptroller's warrant, No. 2,805, for regular compensation,	\$1,200 00
do	Comptroller's warrant, No. 2,806, for extra clerk hire for keeping executive proceedings,	250 00
July 16.	Comptroller's warrant, No. 3,994, for labor in preparing a digest of claims in obedience to a resolution of the Senate,	400 00
do	Comptroller's warrant, No. 3,995, for services at extra session, ..	\$300 00
	Mileage,	78 00
	Extra clerical labor,	425 00
		<hr/> 803 00
12.	Paid from contingent fund, under a resolution of the Senate,	300 00
	Aggregate,	<hr/> <u>\$3,053 00</u>

WILLIAM E. MILLS, Deputy-clerk, Senate.

		Mileage.	Pay.
1851.			
July 15.	Warrant No. 3,892, for services and mileage, regular session,...	\$69 00	\$600 00
	For services and mileage extra session,*	69 00	200 00
do	Paid from contingent fund by re- solution of Senate,.....		150 00
April 10.	do do		100 00
		<hr/> \$138 00	<hr/> \$1,050 00
	Aggregate,		<hr/> <hr/> \$1,188 00

J. N. T. TUCKER, Deputy-clerk of Senate.

1851.			
July 12.	Warrant No. 3,891, for services at regular session,.....	\$49 40	\$600 00
	Warrant No. 3,891, for services at extra session,.....	49 40	200 00
do	Paid out of contingent fund under a resolution of the Senate,....		150 00
April 10.	do do		100 00
		<hr/> \$98 80	<hr/> \$1,050 00
	Aggregate,		<hr/> <hr/> \$1,148 80

E. T. BUCKBEE, Janitor at Special Session.

July 11.	Paid from contingent fund, 36 days, at \$3,	\$108 00
April 22.	do do 20 do	60 00
	Aggregate,	<hr/> \$168 00

EDWARD BRENNAN, Messenger.

July 12.	Paid from contingent fund, 136 days, \$2,	<hr/> \$272 00
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ALBERT MANDELL, Deputy-clerk, Senate.

	Mileage.	Pay.
1851.		
July 16. Warrant No. 3,993, for services and mileage at regular session,	\$39 00	\$600 00
Aug. 16. Paid from contingent fund, under resolution of Senate,		100 00
	<u>\$39 00</u>	<u>\$700 00</u>
Aggregate,		<u>\$739 00</u>

JAMES W. WHELPLEY, Messenger.

April 10. Paid from contingent fund,	\$206 00
Jan. 29. do do 3 days before sess.,	6 00
Aggregate,	<u>\$212 00</u>

GEORGE CARPENTER, Messenger.

April 10. Paid from contingent fund,	\$206 00
Jan. 29. do do 3 days before sess.,	6 00
Aggregate,	<u>\$212 00</u>

ROBERT B. STEWART, Messenger.

July 12. Paid from contingent fund, 32 days, \$2, . .	<u>\$64 00</u>
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WILLIAM A. GARDNER, Messenger.

July 12. Paid from contingent fund, 101 days, \$2, . .	<u>\$202 00</u>
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FRANKLIN M. JOHNSON, Messenger.

July 12. Paid from contingent fund, 132 days, \$2, . .	<u>\$264 00</u>
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GEORGE W. BULL, *Sergeant-at-Arms, Senate.*

Date.	No. warrant, &c.	Days.	Rate.	Regular pay.	Extra pay.
1851.					
March 12.	2,106,	60	\$3	\$180 00	
April 5.	2,540,	26	3	78 00	
July 16.	4,004, for arranging library, &c., previous to meeting of the Legislature, including mileage, ....	..	..	.....	\$200 00
		86	..	\$258 00	\$200 00
Aggregate,					<u>\$458 00</u>

R. VAN VALKENBURGH, *Door-keeper.*

March 22.	2,253,	73	\$3	\$219 00	
April 18.	2,714,	27	3	81 00	
July 5.	3,642,	24	3	72 00	
Oct. 7.	247,	8	3	24 00	
July 12.	Paid from contingent fund under a resolution of Senate for extra services, .....	..	..	.....	\$150 00
		132	..	\$396 00	\$150 00
Aggregate,					<u>\$546 00</u>

Geo. A. Loomis, *Assistant door-keeper.*

July 12.	3,893, includ'g mileage, ..	..	..	\$458 00	
April 10.	Paid from contingent fund under resolution, ..	..	..	.....	\$335 00
July 12.	Paid from contingent fund for services before and after session, and doing up doc's, &c. ..	..	..	.....	290 00
				\$458 00	\$625 00
Aggregate,					<u>\$1,083 00</u>

GEORGE L. GARLICK, *Janitor.*

Date	No. warrant, &c.	Days.	Miles.	Rate.	Pay mileage.	Extra pay.
1851.						
April 23.	2,837,	15	...	\$3	.....	\$45 00
July 5.	3,643,	24	...	3	.....	72 00
12.	3,894, for services as librarian and going to N. Y. by order of the Senate at regu- lar & extra sessions,	..	..	..	\$35 00	400 00
Oct. 7.	246,	8	..	3	.....	24 00
April 9.	From contingent fund;	110	..	3	.....	330 00
9.	do do	..	..	..	35 00	.....
July 12.	do do	86	..	3	.....	258 00
12.	do do	..	350	10c	35 00	.....
Feb. 25.	do do					
	for 10 days before session,	10	..	\$3	... ..	30 00
		253			\$105 00	\$1,159 00
	Aggregate,					<u>\$1,264 00</u>

RECAPITULATION—SENATE.

NAME.	Office.	Miles.	Per day.	Per mile.	MBargo.	Pay.	Extra.
W. H. Bogart,.....	Clerk,	780	....	100	\$78 00	\$1,200 00	\$1,775 00
Wm. E. Mills,	Deputy clerk,.....	1,380	....	10	138 00	600 00	450 00
J. N. T. Tucker,	do do	988	....	10	98 80	600 00	450 00
E. T. Buckbee,	Janitor,.....	58	\$3	....	....	168 00	....
Edward Brennan,.....	Messenger,	186	2	....	....	272 00	....
Albert Mandell,	Deputy clerk,.....	390	....	10	39 00	600 00	100 00
J. W.	Messenger,	3	2	....	....	212 00	....
Geo. (.....	do	3	2	....	....	212 00	....
Robert B. Stewart,	do	32	2	....	....	64 00	....
Wm. A. Gardner,	do	101	2	....	....	202 00	....
F. W. Johnson,	do	132	2	....	....	264 00	....
Geo. W. Bull,	Sergeant-at-Arms,	86	3	....	....	258 00	200 00
A. Van Valkenburgh,	Door keeper,.....	132	3	....	....	396 00	150 00
G. A. Loomis,	Asst. door keeper, .....	....	....	....	....	458 00	625 00
Geo. L. Garlick,	Janitor, and also as Sergeant-at-Arms,	253	3	10	105 00	759 00	400 00
					\$458 80	\$6,265 00	\$4,150 00

RICHARD U. SHERMAN, *Clerk of Assembly.*

Regular.

1851.

April 26.	Warrant 2,854, for regular session,	\$1,800 00
July 15.	do 3,965, for extra do	600 00
	Aggregate,	<u>\$2,400 00</u>

ORNON ARTCHER, *Deputy-clerk, Assembly.*

April 18.	From contingent fund,	\$848 00
July 12.	Warrant 3,883,	348 00
	Aggregate,	<u>\$1,196 00</u>

JAMES MCQUADE, *Deputy-clerk, Assembly.*

	Mileage.	Regular.
Jan. 20.	Warrant 1,248, 192 miles travel, \$19 20	
July 1.	From contingent fund,	\$75 00
17.	Warrant 4,007,	244 20
April 18.	From contingent fund, for services as journal clerk, and 192 miles travel,	719 20
	\$19 20	<u>\$1,038 40</u>
	Aggregate,	<u>\$1,057 60</u>

LOUIS F. WADSWORTH, *Deputy-clerk, Assembly.*

April 18.	From contingent fund for services and 360 miles travel,	\$36 00	\$706 00
July 15.	Warrant 3,947,		332 00
			<u>\$1,038 00</u>
	Aggregate,		<u>\$1,074 00</u>

1851.

DANIEL W. HUNTINGTON, Deputy-clerk, Assembly.

		Mileage.	Regular pay.
April 18.	From contingent fund as engross- ing clerk and 500 miles travel,	\$50 00	\$700 00
July 2.	From contingent fund,.....	.....	35 00
14.	Warrant 3,944,.....	.....	317 80
			<hr/>
			\$1,052 80
			<hr/>
	Aggregate,.....		\$1,102 80
			<hr/>

GEO. W. PLATT, Post-master to Assembly.

	No. warrant, &c.	Days.	Miles.	Rate.		
Jan. 20.	1,247,	12	356	\$3	\$35 60	\$18 00
April 19.	From contingent fund,	100	..	3	.....	300 00
July 1.	3,533,	12	..	3	.....	57 00
	3. From contingent fund,	..	..	..	.....	15 00
	12. 3,870, .....	..	..	..	.....	116 60
	15. From contingent fund,	4	..	2½	.....	10 00
	15. do do	10	..	3	.....	30 00
						<hr/>
						\$546 00
						<hr/>
	Aggregate,.....					\$582 20
						<hr/>

WILLETT B. GODDARD, Sergeant-at-Arms.

Feb. 1.	1,525,	26	..	\$1½	.....	\$39 00
Mar. 3.	1,950,	26	..	1½	.....	39 00
April 4.	2,533,	32	..	1½	.....	48 00
	19. From contingent fund					
	10 days before sess'n,	10	..	3	.....	30 00
	19. From contingent fund,	100	..	1½	.....	150 00
	24. 2,840,	16	448	1½	\$44 80	24 00
July 1.	3,542,	19	..	3	.....	57 00
	15. From contingent fund					
	for services before					
	and after session,...	10	..	2½	.....	25 00
	17. 4,010, .....	..	..	..	.....	129 00
						<hr/>
						\$541 00
						<hr/>
	Aggregate,.....					\$585 80
						<hr/>

THOS. E. OSBORNE, Assistant door-keeper.

Date.	No. warrant, &c.	Days.	Miles.	Rate.	Mileage.	Regular pay.	Extra pay.
1851.							
Jan. 17.	1,206,.....	11	145	\$3	\$14 50	\$33 00	
Mar. 31.	2,354,.....	20	..	1½	.....	30 00	
Apr. 18.	Contingent fund,.	..	..	..	.....	150 00	
26.	2,851,.....	69	..	1½	.....	103 50	
June 30.	Contingent fund,.	..	..	..	.....	25 00	
26.	do do	..	..	..	.....	10 00	
July 11.	do do						
	3 days after sess.	3	..	2½	.....	7 50	
11.	Contingent fund,						
	extra services,..	..	..	..	.....	.....	\$50 00
12.	3,881,.....	..	..	..	.....	152 00	
						<u>\$511 00</u>	
	Aggregate,					<u>\$575 50</u>	

WM. SCOTT, Door-keeper ladies gallery.

	From con. fund,.	100	..	\$3	.....	\$300	00
Nov. 25.	714, .....	..	500	10c	\$50	00	.....
1852.							
Jan. 17.	1,404,	\$196	00
						<u>\$496</u>	<u>00</u>
Aggregate,						\$546	00

JOHN DIOSSEY, Door-keeper.

July 12. 3,887,.....	\$130 40
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ADAM MOTT, Door-keeper gents. gallery.

Apr. 18.	From con. fund,.	100	..	\$3	\$300	00	
July 1.	do do	30	00	
11.	3,861,.....	..	..	..	.....	76	00
Aggregate,.....							<u>\$406</u>	<u>00</u>

WM. DURBIN, Librarian.

Date.	No. warrant, &c.,	Days.	Miles.	Rate.	Pay mileage.	Reg. pay.
Jan. 20.	1,246,	12	466	\$1½	\$47 60	\$18. 00
April 19.	From contingent fund	10	..	3	.....	30 00
do	do do	100	..	3	.....	300 00
July 3.	do do	..	..	..	.....	25 00
15.	do do					
	10 days before ses-					
	sion, arran. library,	10	..	2½	.....	25 00
do	3,947, .....	..	..	..	.....	90 40
						<u>\$488 40</u>
Aggregate,						<u><u>\$536 00</u></u>

LEWIS R. GREGORY, Assistant-librarian.

April 19.	From contingent fund	100	..	3	.....	300 00
June 30.	do do	..	..	..	.. ..	5 00
July 1.	do do	..	..	..	.....	70 00
22.	do do					
	in collecting books,					
	&c., after session,..	12	..	2½	.....	30 00
April 19.	do do	10	..	3	.....	30 00
July 25.	4,120, .....	..	..	..	.....	21 00
Aggregate,						<u>\$456 00</u>

MORRIS SHAW, Janitor.

April 19.	From contingent fund	100	..	3	.....	\$800 00
do	do do	10	..	3	.....	30 00
July 11.	3,866, .....	..	..	..	.....	156 00
15.	From contingent fund					
	services before sess.,	10	..	2½	.....	25 00
Aggregate,						<u>\$511 00</u>

JOHN GARDINER, Assistant door-keeper.

April 19.	From contingent fund	21	..	3	<u>\$63 00</u>
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MESSENGERS.

Names.		Days.	Pay.
H. Olmstead,	\$1 50	122	183 00
James W. Whelpley,	1 50	132	198 00
John Nickerson,	1 50	100	150 00
Edwin Belden,	1 50	132	198 00
A. St. John Campbell,	1 50	132	198 00
John Riley,	1 50	132	198 00
Thomas McCann,	1 50	132	198 00
William H. S. Brown,	1 50	132	198 00
John Caffrey,	1 50	132	198 00
Alfred Worden,	1 50	132	198 00
Edward M. Teall,	1 50	132	198 00
William Quinn,	1 50	132	198 00
Hamilton Aly,	1 50	132	198 00
G. Sutherland,	1 50	132	198 00
George W. Schiffer,	1 50	132	198 00
Thomas Healey,	1 50	132	198 00
Charles Nickerson,	1 50	32	48 00
Alonzo Durrin, (library,) <i>gross</i>, . . . . .	....	...	150 00
			<u>\$3,303 00</u>

RECAPITULATION—ASSEMBLY.

NAME.	Office.	Days.	Miles.	Per day.	Per mile.	Mileage.	Regular pay.	Extra pay.
R. U. Sherman,	Clerk, . . . . .	.....	.....	.....	.....	.....	\$1,800 00	\$600 00
Ornon Artcher,	Deputy clerk, . . . . .	.....	.....	.....	.....	.....	1,196 00	.....
J. McQuade,	do . . . . .	.....	384	.....	10c.	\$38 00	1,019 20	.....
L. F. Wadsworth,	do . . . . .	.....	360	.....	10	36 00	1,038 00	.....
D. W. Huntington,	do . . . . .	.....	500	.....	10	70 00	1,052 80	.....
G. W. Platt,	Post-master,	145	356	\$21 3	10	35 60	546 60	.....
W. B. Goddard,	Sergeant-at-Arms,	139	448	3	10	44 80	541 00	.....
D. W. C. Crooker,	Assistant do	110	770	3	10	77 00	600 00	.....
S. R. Tuell,	do door-keeper,	100	860	3	10	86 00	451 00	.....
John Parks,	do do	106	606	1 1/2	10	60 60	473 40	.....
T. E. Osborne,	do do	103	145	.....	10	14 50	511 00	50 00
Wm. Scott,	D. keeper lad. gal.	100	500	3	10	50 00	496 00	.....
John Diossey,	do do . . . . .	.....	.....	.....	.....	.....	130 40	.....
Adam Mott,	do gents. gal.	100	.....	3	10	.....	406 00	.....
Wm. Durrin,	Librarian,	132	476	.....	10	47 60	488 40	.....
L. R. Gregory,	Asst. do	122	.....	3	.....	.....	456 00	.....
Morris Shaw,	Janitor,	120	.....	3	.....	.....	511 00	.....
John Gardiner,	Asst. door-keeper,	21	.....	3	.....	.....	63 00	.....
Messengers per list preceded	ing all, \$1.50 per day, . . . . .	.....	.....	.....	.....	.....	3,303 00	.....
							\$15,082 80	\$650 00

State of New-York.

No. 43.

IN SENATE, FEB. 23, 1852.

REPORT

Of the committee on internal affairs of towns and counties, on the petition of Jason Clark, and others for relief.

The committee to which was referred the petition of about seven hundred inhabitants of the county of Jefferson, praying for the amendment of the law to provide for the promotion of the public health, by draining certain swamp lands on the Indian river, in the towns of Theresa and Rossie,

REPORT :

That they have carefully examined the said petition, and also certain affidavits demonstrating the truth thereof, and also the petition and memorial of Jason Clark, Esq., of the county of Jefferson, fully sustaining the facts contained in the said petition, and also the remonstrance of George Parish, Esq., of St. Lawrence county ; and are satisfied by reference to the same, and also to the original petition upon which the law of 10th April 1850, was predicated, that the law was wisely and judiciously passed.

They are satisfied of the truth of the petition and the memorial of the said Jason Clark, and that it contains the main facts in the case, clearly and succinctly stated.

They adopt it as a portion of their report, and ask leave to report by bill.

MEMORIAL.

To the Legislature of the State of New-York :

The petition and memorial of Jason Clark, of the town of Alexandria, in the county of Jefferson, respectfully sheweth :

That for sixteen years last past, he has had the agency of certain marsh lands lying in the town of Theresa, in the county of Jefferson adjoining the Indian river, and that he resides within about three miles of and is intimately acquainted with the said lands.

That in the year 1837 or 1838, a firm by the name and style Moss & Knap, received a lease from George Parish, of a waterfall on the Indian river, below these marsh lands, and by the permission of the said George Parish, erected a dam thereon. This dam raised the water about two feet, and set it back over the marsh lands that in the summer time a heavy shower would inundate them, and in consequence of the said dam, the water, warm and tepid, would remain for a number of days upon the marsh. This killed the timber thereon, and produced miasma, and for a considerable distance around created sickness, fever and ague, and intermittent fever. The sickness was so extensive, and the destruction of the timber so great, that Moss & Knap were induced to entirely remove their said dam. But the dead trees and other decaying vegetable matter which the overflowing of the land had caused to die, still created an unhealthy atmosphere and extensive sickness. This first suggested the idea of draining the land. The inhabitants afflicted by this miasma united in a petition to the Legislature for authority to lower the falls where the dam had been erected, and by that means drain the marshes ; and a law to that effect was passed on the 11th day of April, 1850. This law expires by its own limitation, on the 11th day of April, 1852.

Immediately after the passage of the said law, and before it was possible to remove the obstruction at the falls, a firm by the name

Bostwick, Ludlow and Wilber, under a lease of the said George Parish, and by his consent and permission, erected a dam at a place called the Dayton falls ; a place about half a mile below the falls where Moss & Knap had erected their dam aforesaid ; but of such a height as to raise the water a foot higher than the falls, and thus setting the water back to Theresa, a distance of about fifteen miles, and thus affecting to a considerable extent the marsh lands above referred to ; and your memorialist verily believes that the intention of the said George Parish in leasing to the said Bostwick, Ludlow and Wilber, and thus causing this dam to be erected, was that the said falls might be at all times covered with water, thus preventing the lowering of the falls, and so it has happened, that in consequence of the erection of the said dam it has been impossible to lower the falls or drain the marshes.

Your memorialist further represents, that the sickness occasioned by the overflowing of the marshes, and the decaying of the trees and other vegetable matter, still causes extensive sickness to prevail.

Your memorialist therefore prays your honorable body to pass a law extending the time for the removal of this obstruction for three years, and further to amend the act of 11th of April, 1850, so as to enable the commissioners therein named, to carry out the provisions of the said law.

JASON CLARK.

Dated Alexandria, 20th Feb. 1852.

State of New-York.

No. 44.

IN SENATE, FEB. 28, 1852.

REPORT

Of the committee on claims on petition of Charles Ehle for relief.

Mr Ward, from the committee on claims, to which was referred the petition of Charles Ehle

REPORTS:

That from affidavits, testimony and documents in the hands of the committee, the following facts appear:

Charles Ehle was the owner and occupant of a store, situated on the south side of the Erie canal, in the village of Canajoharie, and for about 13 years previous to December, 1850, he, therein carried on the general business of merchandizing, on an extensive scale.

This store was built in 1827, and was constructed with reference to the old canal. The cellar was subject to be flooded with water flowing through the bank of the old canal. To obviate this, the cellar was filled up, and the store raised, so that the bottom of the new cellar or basement was level with the top of the south bank, of the canal, and higher than the top of the north bank. This alteration was made at a large expense, in the year 1832.

This new basement could not be flooded by the old canal, and was a very convenient and first class business stand. The amount of business done by said Ehle in this part of his store amounted to from \$10,000 to \$20,000 per year, at a profit of from 15 to 25 per cent. This basement was used by him for the storage and sale of

groceries, provisions, flour, salt, and other commodities. No difficulty was experienced therein from floods from the canal, until the work of the enlargement was commenced.

In 1838 or 1839, the enlargement of the canal was commenced at Canajoharie, and opposite the premises of said Ehle. The water level of the canal was raised several feet in the prosecution of the enlargement. Immediately thereupon the basement story of said store began to be flooded with water from the canal which flowed over its south bank. These floods occurred from 1838 or 39, down to 1849, (when he was compelled, in consequence thereof, to abandon the basement,) as often as from three to 6 times a year, and the water in the basement was from $1\frac{1}{2}$ feet to 5 feet in depth. These floods often occurred suddenly, and at times when they could not have been anticipated. The consequence was, that they occasioned much damage to the merchandize in the basement. Said Ehle used great care and precaution in guarding against these losses to his property, frequently sitting up at night himself and employing others to do so, to prevent damage to his merchandize. From the suddenness, the frequency and the depth of the floods, said Ehle could not have avoided these losses except by a total abandonment of the use of the basement story; and this he could not have done without a great loss in the amount and profit of his business, as will appear by the above statement as to the value of the business there transacted; the profit of which was greater than the losses caused by these floods. Said Ehle was subjected to these losses for about ten years.

Though the main cause of these floods was the raising of the water level of the canal in prosecuting the work of the enlargement, this was not their only cause. They were caused in part by the bad state of repair of the guard gates, (situated a few rods from the store of said Ehle,) used to shut off from the canal the waters of the Canajoharie creek in times of freshet, and by discontinuing two waste weirs on that level of the canal, over which the surplus waters of the canal had formerly been discharged. The banks of the enlarged canal on this level were generally raised to correspond with the additional height of the

water ; yet, the south bank, opposite the store of said Ehle, and for a few rods west, was not thus raised nor any way altered from what it was upon the old canal, until the year 1845. Thus, for a period between 6 and 7 years, the south bank of the canal, opposite the premises of said Ehle, was in fact the only waste weir on that level of the canal.

Said Ehle frequently applied to the superintendents and engineers on that part of the canal, to protect him against these floods, but nothing was done until 1845, and then the south bank was raised to a small extent, but not sufficient to protect his premises, and the bank remained in this condition till 1848, when it was still further raised, but was too imperfectly constructed to prevent the occurrence of floods upon his basement, and he finally abandoned the basement, as before stated, in 1849.

At the session of the Legislature of 1850, said Ehle petitioned the Legislature for the passage of an act authorizing the Canal Appraisers to assess and award him damages for these losses. The petition was presented in the Senate and referred to the committee on claims. Testimony was presented to that committee in regard to *some* of the occasions when his store had been flooded as above mentioned ; but proof was not then furnished in regard to the whole period embraced in his petition. The committee reported a bill covering the losses on two occasions, to wit : May 16th and December 9th, 1844, and made no report in regard to the others. The bill, which also covers some damages of another kind, became a law. (*See chap. 137 of Laws of 1850.*)

The reason why the act did not cover the whole claim was, that said Ehle had not then procured all the evidence necessary to cover the whole period.

The Canal Appraisers passed upon the subjects referred to there by this act. At the hearing before the Appraisers, said Ehle offered proof in regard to losses sustained by reason of floods, other than those on the 16th of May and the 9th of December ; but the appraisers refused to receive it or pass upon the general subject, because they did not come within the act.

At the session of the Legislature of 1851 said Ehle again applied for an act authorizing the Appraisers to assess and award

damages for the losses not embraced in the law of 1850. A bill to that effect passed the Assembly at the regular session but failed of action in the Senate on account of the sudden adjournment of the Legislature.

At the extra session this bill was referred in the Senate to the committee on claims. During the recess much additional testimony had been taken, as will appear by affidavits now before your committee. The chairman of the Senate committee, at the extra session in 1851, delayed reporting the Assembly bill, as he said, on the ground that he had not had time to read this additional testimony. One of the Senate committee on claims had prepared a report favorable to the Assembly bill and was only waiting to make a report till the chairman could examine the additional testimony. This member was taken sick and went home about a week before the Legislature adjourned and he did not report. *On the last day of the session*, and without the knowledge of said Ehle, the chairman of the committee made a report adverse to the Assembly bill. See Senate Doc. 1851. vol. 3, Document 94.

It is evident from reading this report that its author had not read this additional testimony, or if he had, that he had not given it due consideration. And it is plain that he had not carefully read the Appraisers award, (now in the hands of the present Senate committee) for he evidently misunderstands or misquotes it.

On the 2d page of the report of the committee the author quotes a paragraph from the Appraisers' award, and he applies the words printed in *italics to the whole of the residue of the petitioner's claim not passed upon by the Appraisers*, when the paragraph (as will be seen by reading the award) only refers "to loss sustained in consequence of being obliged to abandon basement story," after saying they have allowed him \$860 for damage to the basement story they add: "which is all, in the opinion of the Appraisers, the claimant is justly and equitably entitled to be compensated for by the State;" plainly referring only to that particular item.

This view of the matter is further evident from the fact that after awarding \$2,610.80 the Appraisers say, "which sum of two thousand six hundred and ten dollars and eighty cents is in full

of all damages of the claimants to which he is justly entitled from the State *under the said act*.

It is plain, therefore, not only that the Appraisers had no power, to pass upon any claim not embraced in the act of 1850, but *that they did not attempt to*.

And yet, the adverse report of the Senate committee, in July, 1851, seems to be mainly based upon the assumption, that the Appraisers had declared, in their award, that they had allowed the claimant all that he was justly entitled to receive from the State.

If the law of 1850 was just, under which the claimant received compensation for damages sustained in May and December, 1844, caused by the flooding of merchandize in the basement of his store, it would seem to be difficult to show why he should not be entitled to receive compensation for similar damages flowing from the same cause at other times. And yet, the adverse report of 1851, seems to be founded on this untenable basis, or is the result of an entire misapprehension of the facts proved by the claimant.

The adverse report of the Senate committee says, that the claimant himself has become obnoxious to the charge of negligence; that his claim has slept too long; that it has been suffered to become too stale, &c. But, all these objections applied with equal force to the claims provided for in the act of 1850, and which the Appraisers have pronounced just and equitable, and have awarded compensation therefor, after a full examination.

The report says, "if the overflowings thus existed from that cause, for the space of several years, it was the duty of Mr. Elhe, as a careful, prudent citizen, to see that the bank was sufficiently raised, and take all reasonable precautions to prevent the overflow. This does not appear to have been done at all; and he thereby becomes obnoxious himself to the charge of negligence."

In answer to this, it appears from the testimony taken before the Appraisers, that "Mr. Ehle frequently called upon the superintendent and person in charge of the canal scow, to raise the

bank of the canal in front of his store. The bank opposite his store was not raised till after all his damages accrued." See *testimony of Edward Wagner*.

There is other testimony to the same effect in the affidavits. See *affidavit of John A. Hiller*. The testimony of Wagner and Hiller covers the whole period within which the damages accrued.

This was all Mr. Ehle could do. The officers in charge of the canal would not have been justified in permitting him to otherwise interfere in the matter ; and they did prevent his cutting away the north bank of the canal in order to let the water off, in the winter of 1842. See affidavit of John R. Pettis.

As to the claim having been "suffered to become too stale," &c., it should be borne in mind, that these floodings did not cease till 1849, and that the claimant applied for redress to the next Legislature thereafter. Delay in pressing a just demand, is always an ungracious defence in the mouth of the party who has done the wrong. The simple inquiry should be, is the claim just and equitable?

Upon a review of the whole matter it appears that this is a case where the petitioner has, without any want of care or diligence on his part, suffered losses and sustained damages, by reason of the prosecution of the work of enlarging the Erie canal, by raising the water level of the canal without, at the same time, raising the bank opposite his premises to a height sufficient to protect his premises from the overflow of the waters of the canal; by the imperfect construction of the bank of the canal; by not providing waste-weirs to prevent the surplus waters to flow out of the canal where they would do him no harm, and by the neglect of the officers in charge of the canal in regulating or repairing the guard gates of the Canajoharie creek. For these losses and damages, so far as they are not embraced in the act of 1850, the petitioner ought to be permitted to appear before the Canal Appraisers, where he may have an opportunity to substantiate his claim for compensation from the State, so far as it is just and equitable. If the law for the relief of the petitioner, passed 1850, was correct in principle, there seems to be no reason

why he should not receive the same relief in regard to other items of damage from the same cause not provided for by that act, nor included in the Appraisers' award, as there is ample evidence before the committee to establish the fact that he has sustained such other damages.

State of New-York.

No. 45.

IN SENATE, FEB. 21, 1852.

ANNUAL REPORT

Of the Western House of Refuge.

To the Honorable the Legislature of the State of New York :

In presenting their third annual report, the managers of the Western House of Refuge feel called upon gratefully to acknowledge the kindness of that Providence, which during the past year has watched over the institution in all its departments. No death has occurred, either among the managers or among the officers or inmates of the institution. The health of the delinquents has been almost uniformly good, although some few cases of illness have occurred. The care which has been taken to secure a perfect ventilation for the school-room and dormitories, the strict attention paid to cleanliness, regularity of diet and exercise, are doubtless among the means which have contributed to this result. No change has been made during the year in the officers of the institution, with the exception hereafter referred to, and the managers are happy in being able to state that the superintendent and the subordinate officers have discharged ~~their~~ ^{their various} duties with marked fidelity and ~~promptness~~; and that nothing has occurred to disturb in the least the general harmony which has prevailed among all those concerned in the management of the institution.

The new wing was completed, ready for use, on the 1st day of September last. It has a beautiful and commodious school-room, sufficiently large to accommodate two hundred boys, and it is provided with sleeping apartments for one hundred and twelve, twelve more than was required by the act authorizing its erection. The other wing is provided with dormitories for eighty boys only; but an addition of twelve dormitories may be made with comparatively little expense. When this is done the number which can be accommodated in the institution with single dormitories will be two hundred and four. The exterior of the house presents to the eye a fine specimen of architectural symmetry. Some further changes must however be made in the interior, in order to render the occupation of both wings convenient and safe. The old school-room and dining-room must be thrown together by the removal of the partition between them, to make room for the additional tables, which will be required to accommodate the increasing number of the boys, and passages must be opened through the centre building, so that the boys can pass from wing to wing without going out of doors. It is not, however, the intention of the managers to ask for any special appropriation for this purpose, as it is believed that the expense of these alterations will not be large, and may without impropriety be paid from the general appropriation for the support of the house.

For the statistics of the institution, the managers beg leave to refer to the report of the superintendent, contained in the appendix. It will be seen by reference to these statistics that the number of boys which have been received during the year is sixty-three. The managers have reason to believe that a portion of them were over sixteen years of age at the time they were committed. It is natural that there should be, as there undoubtedly is, a reluctance in the courts to sentence youthful offenders to the State prison, and that there should be a desire on the part of these offenders to secure a retreat from such a sentence in the house of refuge. Hence it sometimes happens, as they think, that the courts, moved by a laudable compassion for the young, lend a favorable ear to any statement in reference to the age of an offender, which will enable them to avoid the unpleasant duty

imposed upon them by law, of sentencing him to confinement in the State prison. Some provision seems to be called for, requiring the courts to ascertain, by proof, the age of the offender, and certify it in the order of commitment.

The number who have left the institution during the year, is twenty-four. Six of these, as stated in the superintendent's report, have with their consent been sent to sea, on whaling voyages. They were among the oldest and hardiest of the boys, and some of them may very fitly be termed "old offenders." A doubt may possibly exist whether such a disposition of the boys can be legally made, as the law now stands, without the consent of parents or guardians. In the cases above referred to, some of the boys had neither parents or guardians to be consulted; and the parents and guardians of others were consulted and gave their consent. It seems necessary for the good of the institution and of the boys themselves, that the managers should have the power of sending the older boys to sea, with their consent; and the managers beg leave to submit to your honorable body the propriety of giving them such a power.

In this connection, it may not be improper to suggest that in the judgment of the managers, some provision ought to be made for a class of juvenile offenders between the ages of 16 and 20 years. They do not think it would be wise as a general rule, to introduce offenders of this age among the younger boys for very obvious reasons. Arrangements may, however, be made for keeping them separate as a class, both while employed at labor, and in seasons devoted to recreation. By the erection of lateral wings to the present house, which can be done in strict accordance with the original plan, provision can be made for the accommodation of from 150 to 200 offenders of this class.

Something should perhaps be said in reference to the principles upon which the managers act in discharging boys from the house. Where the parents are respectable, and are able to give the boy suitable employment, a discharge is granted as soon as the managers have evidence that he is so far reformed as to make it safe for him to be restored to liberty. Where the boy is without parents, pains are taken to secure him a place in the family of a

respectable citizen where he will be suitably provided for, be well trained to business, and kept from bad company. In all cases, however, the managers deem it judicious to continue the training which the boys receive until they have satisfactory evidence of reform; and in no case do they consider it proper to discharge a boy until they can provide him with a place where he will be secured from temptation to return to his former evil habits.

The farm belonging to the institution has been more productive during the past than in any former year. It will no doubt continue to be a source of profit to the State. It also furnishes healthful and invigorating exercise to the boys, who are employed in cultivating it, and affords during the summer months a variety of vegetables for consumption which could hardly be supplied from any other source.

The managers have provided for the maintenance and increase of the library by the imposition of a small tax as a "gate fee" upon those who visit the house simply from motives of curiosity. The fund produced by this tax, it is believed, will be sufficient for the purpose, and will perhaps also afford the means for supplying the school with maps, globes and other apparatus.

The term of service of the chaplain employed by the managers expired on the 1st day of June last, and it was not then thought expedient to renew his appointment. From that time religious services have been performed at the house on the Sabbath gratuitously by the different clergymen of the city. The managers deem it indispensable that the boys should be supplied on the Sabbath with constant religious and moral instruction. Without it the day of rest would be a day of noise, mischief, plots and rebellion. It is due also to the officers of the institution that they should have the opportunity of attending public worship. They are confined to the house on the Sabbath as strictly as upon other days, and if they are furnished with religious instruction at all, it must be at the house. As it is not probable that it can be gratuitously supplied for any length of time, it will doubtless become necessary soon to procure the services of a regular chaplain.

The managers are happy in being able to refer to the letters contained in the appendix, from boys who have been discharged, as well as to the statements contained in the superintendent's report, as furnishing evidence of no unequivocal character of the good effects of the discipline employed in the institution.

The school which is kept up in the institution we regard as among the most efficient means of reform. The boys have made and are making rapid advances in the acquisition of knowledge. Many of them who could neither read nor write intelligibly when received, will now rank among the first readers and writers in our best public schools. It is the intention of the managers to make arrangements for increasing during the year the usefulness of this department by furnishing maps and other facilities in aid of the efforts of the teacher, and by providing for periodical examinations in the presence of the managers and others who may be invited to attend.

It will be seen by reference to the teacher's report, which will also be found in the appendix, that of the boys received during the year 21 were unacquainted with the alphabet and 45 were unable to write their names; and the managers are satisfied that very few, if any of them had, at the time of their committal, any fixed employment. Thus it would seem that ignorance and idleness are, in the majority of cases, the proximate causes of crime among juvenile offenders.

The treasurer's account, which will also be found in the appendix, exhibits the amount received from all sources during the year for the support of the institution and the purposes to which it was applied. The sum of \$6,000 appropriated by an act of the Legislature at its last session, to replace the sum which had been borrowed of the building commissioners, does not appear in the account. It was paid over immediately on its receipt, by the treasurer, to the building commissioners and has doubtless been accounted for, by them, to the Comptroller, as the law directs. The balance in the treasury at the close of the year, it will be perceived, was small. A portion of the moneys, however, appropriated for the support of the institution during the present

fiscal year, has not yet been drawn from the treasury, and the managers are of the opinion that no further appropriation for the purpose will be necessary.

All of which is respectfully submitted.

FREDERICK F. BACKUS, *President.*

ISAAC HILLS, *Secretary.*

APPENDIX.

SUPERINTENDENT'S REPORT.

To the Managers of the Western House of Refuge :

The superintendent would respectfully report, that the whole number received since the opening of the house, August, 1849, is 169

The number in the house at the date of the last annual report was 91

The number received from January 1, 1851, to January 1, 1852, is 63
 154

The number disposed of during the year is 24

Leaving in the house, January 1, 1852, 130

Of those received during the year, 43 are between the ages of 8 and 15 years, and the residue are of the age of 15 years and upwards. The average age being 13 years, 4 months and 28 days.

28 are Americans,

20 Irish,

6 French,

3 English,

2 Scotch,

1 is German,

1 Swiss,

2 are Colored.

Thirty had lost one parent, 4 had lost both; the parents of 6 were separated, and the parents of 34, one or both were intemperate.

The sources whence they were received are as follows :

Monroe county,	25
Erie do	12
Oswego do	6
Orleans do	3
Ontario do	3
Livingston do	2
Onondaga do	2
Steuben do	2
And one from each of the following counties, viz: Allegany, Broome, Jefferson, Oneida, Washington, St. Lawrence, Ful- ton, and Otsego,	8
	<hr/>
	63
	<hr/>

The offences for which they were committed are as follows, viz:

Petit Larceny,	33
Grand Larceny,	11
Burglary and Larceny,	11
Assault with intent to kill,	1
Forgery,	1
Vagrancy,	6
	<hr/>
	63
	<hr/>

The following shows the disposition made of 24 boys who left the institution during the year:

One was indentured to a printer, 2 to farmers, 1 to a carriage maker, 1 to an iron founder, 1 to a chairmaker, 6 were allowed to ship for whaling voyages, 2 were pardoned by the Governor, 1 escaped, and 8 were discharged to the care of their parents or guardians; 2 of the latter number were committed in feeble health and were detained but a short time in the house.

EMPLOYMENT.

During the year embraced in this report, the boys have been employed under contract with Wm. D. Brooks, in the manufacture of cane chair-seats, and with Messrs. Theron, Ives & Co., in manufacturing whips, at an average of 12 cents per diem for each boy.

The clothing of the inmates is all made on the premises, and 5 boys are employed in the tailor's shop for this purpose; 8 boys are employed in the domestic work of the house, and during the season of farming and gardening, from four to 8 boys were required for this service.

We have 28 acres of ground under cultivation, and 10 under pasturage. All our crops for the season were good except the potato, which was seriously injured by the blight. The following statement will show the quantity and value of the products of the farm and garden, viz:

637 bushels ears of corn, at 25 cts.,	.....	\$159 25
500 " oats, at 30 cts.,	.....	150 00
442 " potatoes, at 50 cts.,	.....	221 00
150 " sugar beets, at 20 cts,	.....	30 00
16 " blood beets, at 20 cts.,	.....	3 20
16 " white beans, at \$1.00,	.....	16 00
10 loads pumpkins, at \$1.00,	.....	10 00
12 loads corn stalks, at \$3.00,	.....	36 00
90 bushels turneps, at 18 cts.,	.....	16 20
1,500 heads cabbage, at 3 cts.,	.....	45 00
10 bushels onions, at 50 cts.,	.....	5 00
2,500 lbs. pork fattened, at 5½ cts.,	.....	137 00
1 beef cow,	.....	30 00
		<hr/>
		\$858 65
		<hr/>

The amount received at the gate during the year from visitors, and which, by your direction, is appropriated for the support and increase of the library, is \$168.17, of which the sum of \$55.56 has been expended for books, leaving a balance on hand of \$112.91.

Moral and religious instruction.

In addition to the means of public worship provided by your board, regular sunday-school exercises have been instituted and maintained among the inmates; and in this important work we are greatly indebted to the labors of O. Hastings, Esq., one of your board, who from the early opening of the institution, has spent one hour of each sabbath morning in our Sunday-schools.

Results.

To ascertain with any degree of certainty the effect of the care and discipline of the institution upon the inmates, must be a work of time. Only thirty-one boys have as yet left the house, and a majority of these have been out only a few months. From these, with a few exceptions, we have recent information of a very satisfactory character; and in no case have we any evidence that any have returned to their former vicious practices. Several have visited the House during the summer, appearing well in all respects, and from others we have letters assuring us that they are fulfilling our most sanguine wishes in their behalf.

LETTERS FROM BOYS WHO HAVE BEEN DISCHARGED.

From W. S., Dec. 1, 1851.

MR. WOOD:

Dear Sir—It is several months since I left the Refuge, and believing you would like to hear from me, and to know how I am getting on, I embrace this opportunity to state that my health is good, that I am much pleased with my situation and the trade I am learning; and I think I am making such progress in it as will secure me good wages when my time is out. My master says he can afford to pay me good wages, and would rather employ me than a stranger. It is my intention to remain and get my trade, and prepare myself to pursue a very different life from what I did before I went to the Refuge. I should have been ruined if I had not been sent there, and I feel very thankful to you and the other officers for your kind care and advice while I was there, and for the situation I am now in. I hope to show my gratitude by doing well in future.

Please write to me occasionally.

Yours. sincerely,

W. S.

The writer of the above letter was convicted of grand larceny, and was sent to the Auburn prison, where he remained four months, and was then transferred by order of the Governor to this institution. He remained in the House fifteen months, and

his conduct proving very satisfactory, he was indentured to an iron founder on the first of July last. He is nineteen years of age.

O. P. was sent by the court of oyer and terminer of S. county, on a conviction for burglary and grand larceny, having been for two years previously a wild and impetuous boy, and a source of great grief to highly respectable parents. He remained in the House 21 months, when he was discharged to the care of his parents in May last. We have every assurance that he is doing well. He is 18 years of age. The following is a copy of a letter received from him :

G——, July 12, 1851.

MR. WOOD,

Dear Sir, It is with emotions of pleasure that I address a few lines to you. I am now at my dear home and expect to remain. The reason that I have not written before is, that our work has been very pressing. I can hardly find time to write now. I arrived at home on the Saturday after I left you, and am in good health and spirits.

But how shall I describe the meeting with my dear mother? Tears of heartfelt joy coursed down her cheeks as she fondly clasped me to her bosom and poured out her whole soul to God to make me a good boy. But enough. It is my intention to remain at home and be a good boy. I have joined the bible class. Give my best respects to your family and to the officers of the House.

Yours truly,

O. P.

R. S. was committed for grand larceny, having for several years previously been associated with abandoned boys, and having travelled all over the southern and western States in pursuit of evil. He remained in the House 22 months, made several desperate attempts to escape at first, but finally submitted, and his conduct became very exemplary. He was discharged in July last, provided with a good place, and we have every assurance that he is truly a reformed young man. He is now in the twenty-first year of his age. The following is an abstract of a letter recently received from him :

A——, Nov. 18, 1851.

Dear Sir, * * * * I miss the privilege of visiting the House to see my friends and associates very much, for I think a great deal more of the House and those who have charge of it than I can express. And why should I not love those who have saved me from the fearful career in which I was hastening? If you should fall from a boat in deep water and were in danger of losing your life, and one should jump over and save you, would you not feel that such a one was your friend? and would he not be dear to you? * * * * I shall never forget the undeserved kindness shown to me by you and the rest of the officers of that noble institution. Who can realize better the good it is doing, than one it has saved from ruin and destruction? I am going to work in the machine shop at the depot in this place at one dollar per day.

Please write to me and oblige,

Sincerely yours,

R. S.

G. W. O. was received from the oyer and terminer of L. county on a conviction for burglary and larceny, and had pursued a dishonest course for more than two years previously. He remained in the House fourteen months, during which time there was not a single complaint against him. On application of his father, who was about to remove to the west, the boy was discharged to his care in Nov. 1850, and after arriving at his destination, he sent us the following letter. He is 18 years of age.

A——, December 12, 1850.

Dear Sir: When I left the Refuge I promised I would write to you and I now fulfill that promise, I am now in M. with my father and friends where I arrived a week after I left you, I am in good health and happy, and should be pleased to have you write to me. My father has not yet suited himself with a farm. Tell Mr. Fisher, I have not forgotten his kindness in showing me in Arithmetic and other studies, and should it ever be in my power to render him a service I shall do it with pleasure.

Excuse the way in which this letter is composed, for this is the first letter that I ever wrote, and as I have no dictionary to correct it with, I doubt not there are many words spelled incorrectly.

Be that as it may I promised to write and have done so and must close.

Yours respectfully,

G. C.

The above is copied verbatim.

C. B. R. was committed for grand larceny, and for two years previous thereto, had pursued a very loose and vicious course of life. He remained 16 months in the house when he was discharged to the care of his father, with the understanding that he should be placed at the business of sash and blind making. He has visited us since and appears to be doing well. He is 18 years of age and left the house in May last. The following letter was received from him.

A——, May 28, 1851.

Respected Friend: As I promised you that I would write soon, I improve the first few leisure moments in doing so. We arrived here the next morning after we left your place. The family were much pleased I assure you to see Charley once more at home. The next Monday after my arrival I went to work in the sash factory at \$4 per week and in a short time shall receive \$1 per day.

I like the place and the business very much. I now think the time I spent in the Refuge the most profitable of any part of my life. I often remember the boys, and as often wish that the time they spend there may prove sufficient to teach them to be honest and industrious, that they may become good citilens.

I am coming down soon, for I very much want to see the officers and the boys who seem to me so much like my own folks. Please let me hear from you soon.

From one who remembers you with pleasure.

C. B. R——.

Extracts from the Superintendent's Daily Journal of 1851.

JULY 1.

J. W. was this day discharged to the care of his father who is a respectable farmer of W. county. He was committed soon after

the opening of the House for burglary and larceny. He maintained a uniformly good character while here, and we have great confidence that he will do well in future.

Order from the discharging committee.

JULY 2.

W. S. was this day indentured to J. S. of the town of O. county M., iron founder. Had been in the house 15 months.

Order from the discharging committee.

JULY 3.

J. G. was this day received from the oyer and terminer of W. county. He is the largest boy in the house and is evidently over the age of 16 years, yet the sheriff says that at the time of his trial his age was proved to be less than 16 years.

JULY 4.

This being Independence day, all labor and school exercises were suspended, and the boys were permitted to enjoy it as a holiday. They were all in good health and fine spirits, and the day being fair, there was no interruption to their gratification. They were furnished with their usual holiday fare, with the addition of two bushels of fine cherries. During the former part of the day, they amused themselves with their usual sports in the yard, and in the afternoon we were entertained for 2 hours, with an exhibition of the boys, embracing speeches, dialogues and songs, interspersed with instrumental music by their band. Three of the speeches were original, and certainly did their authors much credit. Several of our neighbors were present and expressed themselves highly gratified with the entertainment.

JULY 6.

O. Hastings, Esq. attended the bible class at 9 o'clock A. M. Rev. Mr. Osgood addressed the boys at 11 o'clock, and Rev. Mr. Hickok preached in the afternoon.

JULY 7,

This was quarterly visiting day for the parents and friends of the inmates, and a large number was present.

J. W. and A. W. were this day received from the Rochester police court.

JULY 19.

C. J. a colored boy was this day indentured to W. H. H., barber of B., E. county. Had been in the house twenty-two months. Order from the discharging committee.

JULY 24.

P. C. and W. C. brothers, were this day received from the Recorder's court of the city of O.

JULY 26.

The visiting committee Messrs. Isaac Hills and William Pitkin, made their official visit this day.

AUG. 5.

The board of managers held their monthly meeting at the house this day.

AUG. 19.

A. H. and J. D. were this day allowed to ship for a whaling voyage, on board the ship J. C. of N. L. The vessel goes out on strictly temperance principles and has a fine crew.

AUG. 30.

Rev. Louis Dwight, of Boston, President of the Prison Discipline Society, visited the house this day, accompanied by Messrs. F. F. Backus, Isaac Hills and Wm. Pitkin. Mr. Dwight, whose labors for many years past have been devoted to the improvement of prisons and prison discipline, spent some time on the premises and seemed highly gratified with what he saw.

Since the date of the above, we learn with pleasure that he has submitted to the managers of the New-York House of Refuge, a plan for the new building they are about to erect, which was unanimously adopted by that body.

SEPT. 1.

Our new wing being so far completed as to allow us the use of the dormitories and school, we removed into it this day, and hope to find ourselves quite relieved from the crowded condition we have endured for several months past.

Respectfully submitted,

SAMUEL S. WOOD,

Superintendent.

TEACHER'S REPORT.

To the Board of Managers of the Western House of Refuge.

The teacher respectfully reports that the labors in the school department, during the past year, have been attended with results highly gratifying, both to the teacher and pupils, who gladly avail themselves of this opportunity to express their sincere thanks, not only for the excellent text books and well selected library of 500 volumes, such necessary helps, but especially for "Heaven's free gift," pure air, so abundantly supplied by the ventilation of our new and beautiful school-room.

Of the number received during the past year 21 at the time of their reception were unacquainted with the alphabet:

31 could read easy lessons:

11 could read but imperfectly, and

1 could read readily:

51 knew nothing of arithmetic, and

3 had made some advancement in that branch of study:

45 could not write their names.

Of the whole number of boys now in the institution,

11 read and spell easy spelling lessons:

35 read easy lessons:

53 read imperfectly:

15 read readily, and

15 read fluently:

95 study mental arithmetic:

39 study written arithmetic, 6 of whom have completed and partly reviewed Adams' Arithmetic, 13 have advanced as far as reduction of denominative fractions, and 20 have just completed the "ground rules:"

14 study geography:

14 study grammar, and

31 study Hazen's Definer:

- 58 write upon slates, and
- 72 upon paper, many of whom are quite skillful with the pen.

Seventy-five boys have committed to memory the order of the old and new Testaments and ten commandments.

Exercises in declamation take place every two weeks, at which time is read a little paper edited and sustained by the members of the more advanced classes. This paper is named *The Refuge Champion*, in honor of A. Champion, Esq., whose benevolence prompted him to furnish the boys with frames for their temperances pledges, which now adorn their little rooms.

Respectfully submitted,

JNO. M. DENTON, *Teacher.*

TREASURER'S REPORT.

*The Western House of Refuge for Juvenile Delinquents in account
with Isaac Hills, Treasurer.*

Dr.

January 1, 1851 to January 1, 1852 :

To salaries of officers and wages for labor,	\$5,844 81
“ food and provisions,	3,357 65
“ building and repairs,	1,995 48
“ clothing for boys,	1,685 67
“ fuel and lights,	1,093 06
“ hay, feed and blacksmithing,	403 34
“ farming utensils and stock,	560 71
“ plumber work and pipes,	239 42
“ bedding for boys,	541 52
“ furniture,	477 48
“ postage, printing, hack hire and bank discount, ..	626 40
“ school books and stationery,	352 97
“ grading streets and flagging,	801 94
“ shipping boys,	168 32
“ repairs to furnaces and steam engine,	79 89
“ hospital,	30 11
“ cash on hand,	209 75
	<hr/>
	\$18,468 52

Cr.

January 1, 1851 to January 1, 1852 :

By cash in treasurer's hands, Jan. 1, 1851,	\$414 07
“ “ from State Treasurer for support of house to end of fiscal year, Sept. 30, 1851,	6,000 00
“ “ from State Treasurer for support of house to end of fiscal year, Sept. 30, 1852,	6,000 00
“ “ from contractors for labor of boys,	3,408 92
“ “ “ counties for support of boys,	2,570 53
“ “ for rent of steam engine,	75 00
	<hr/>
	\$18,468 52

We have examined the above account, compared it with the
vouchers and find it correct.

E. F. SMITH,
JACOB GOULD,
EDWARD ROGGEN,
Finance Committee.

OFFICERS OF THE WESTERN HOUSE OF REFUGE.

MANAGERS.

FREDERICK F. BACKUS,	ELIJAH F. SMITH,
WILLIAM PITKIN,	ABRAHAM M. SCHERMERHORN,
ISAAC HILLS,	SAMUEL W. D. MOORE,
ORLANDO HASTINGS,	HEMAN BLODGETT,
ALEXANDER MANN,	JACOB GOULD,
SAMUEL P. ALLEN,	JOSEPH FIELD,
JOHN GREIG,	EDWARD ROGGEN,
ARISTARCHUS CHAMPION.	

OFFICERS OF THE BOARD.

FREDERICK F. BACKUS, *President.*
JOHN GREIG, *1st Vice-President.*
ALEXANDER MANN, *2d Vice-President.*
ISAAC HILLS, *Secretary and Treasurer.*

ACTING COMMITTEE.

FREDERICK F. BACKUS,	ORLANDO HASTINGS,
ELIJAH F. SMITH,	WILLIAM PITKIN,
ISAAC HILLS.	

VISITING COMMITTEE.

ISAAC HILLS,	WILLIAM PITKIN.
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DISCHARGING COMMITTEE.

ORLANDO HASTINGS,	SAMUEL W. D. MOORE,
JACOB GOULD.	

OFFICERS OF THE HOUSE OF REFUGE.

SAMUEL S. WOOD, *Superintendent.*
ARTEMAS W. FISHER, *Assist. Superintendent.*
JOHN M. DENTON, *Teacher.*
ALBERT BACKUS, *Gate-Keeper.*
HUGH COLLINS, *Steward.*
DAVID STURGES, *Farmer.*

PHYSICIAN.

FREDERICK F. BACKUS.

State of New-York.

No. 46.

IN SENATE, FEB. 14, 1852.

NINTH ANNUAL REPORT

Of the Managers of the State Lunatic Asylum.

UTICA, February 11, 1852.

To the Honorable SANFORD E. CHURCH,

President of the Senate :

SIR—Herewith is submitted the Annual Report of the Managers of the State Lunatic Asylum.

Respectfully yours,

**A. MUNSON,
N. DEVEREUX,
WM. B. WELLES,
CHAS. A. MANN,
SILAS D. CHILDS,
S. NEWTON DEXTER,
T. ROMEYN BECK.**

OFFICERS OF THE ASYLUM.

MANAGERS.

ALFRED MUNSON, UTICA.
WM. B. WELLES, "
SILAS D. CHILDS, "
CHARLES A. MANN, "
N. DEVEREUX, "
S. NEWTON DEXTER, WESTESBORO.
T. ROMEYN BECK, ALBANY.
JOEL A. WING, "
JAMES S. WADSWORTH, GENESEO.

RESIDENT OFFICERS.

N. D. BENEDICT, M. D., SUPERINTENDENT AND PHYSICIAN.
GEORGE COOK, M. D., ASSISTANT PHYSICIAN.
JOHN P. GRAY, M. D., "
HENRY B. BARTLETT, STEWARD.
ANN W. SMITH, MATRON.

EDMUND A. WETMORE, TREASURER, UTICA.

NINTH ANNUAL REPORT

**Of the Managers of the State Lunatic Asylum, for the
year ending November 30, 1851.**

The managers of the New-York State Lunatic Asylum, as required by law, respectfully submit the following

REPORT :

The annual report made to us by the superintendent, which is herewith submitted to the Legislature, gives full and detailed statements of the operations and results of the institution during the last year.

From this it will be seen that there were in the institution at the commencement of the year 429 patients; that 366 were received into the asylum during the year; that 112 were discharged recovered; 15 much improved; 51 improved; 134 unimproved, and 48 died, and that the whole number remaining at the close of the year was 435.

The whole number received into the asylum from its commencement on the 16th of January, 1843, to 1st December, 1851, is 3,109, of whom 1,300 have been discharged recovered; 23 much improved; 511 improved; 472 unimproved, and 368 have died.

The labors of the superintendent and his assistants, in the care and management of so large an institution, are at all times arduous and difficult, demanding constant watchfulness and devotion in the various duties that necessarily devolve on them.

The general results of the institution during the year which has just closed—the system, order and neatness which have been maintained throughout the entire household, its comparative

freedom from sickness, its diminished mortality, the ratio of deaths being less than for five years previous, show that these duties have been well and faithfully performed.

The annual report of the treasurer, which is also herewith presented, shows the receipts and payments on account of the institution during the year. By comparing the amount of all payments for the last year on account of the asylum, with the payments for the previous year, it will be seen that the sum expended last year is greater than for the previous year. This increased expenditure has arisen in several ways.

The asylum has been in use for nine years, and a greater amount of repairs were consequently needed than in former years, and many important alterations and fixtures have been made, which add to the convenience and comfort of the household, and many necessary and expensive repairs, especially about the water closets, bath rooms and water fixtures, yet remain to be made.

There has also been an improvement in the character of the supplies for the tables of the patients. The farm and garden have been essentially benefited by the construction, at considerable expense, of under-ground tile drains, although much yet remains to be done in that respect, to give to them their greatest productive capacity.

The act to organize the State Lunatic Asylum, and more effectually to provide for the care, maintenance, and recovery of the insane, passed April 7th, 1842, provided that "the price to be paid for keeping the poor, or any persons in indigent circumstances, in the Asylum, until the first of April, 1843, shall be two dollars and fifty cents per week, and thereafter it shall be annually fixed by the managers, and shall not exceed the actual cost of support and attendance, exclusive of officer's salaries." Under this law, "the price charged for keeping the poor, or any person in indigent circumstances," whose support was chargeable to a county or town, was \$2.50 per week, to the first of February, 1844. Prior to that date, the managers, as stated in their first annual report, (Assembly Documents, 1844, No. 21,) from a desire to extend the benefits of this institution to the insane poor, but not without some hesitation, fixed the price for that class of

patients, at two dollars per week, from and after the first of February, 1844, and it has been fixed at that price from that time to the present time. It is not easy to determine with precision the actual cost of support and attendance per week, unless we include all the expenses for permanent repairs and improvement of the grounds, buildings, and fixtures, connected with the institution, but we have ascertained that, "the actual cost of support and attendance, exclusive of officers' salaries for the last year, has been at least two dollars and fifty cents per week for each patient."

We have accordingly, in obedience to the requirements of the act, fixed the price for keeping "the poor or persons in indigent circumstances," whose support is chargeable to a county or town, at two dollars and fifty cents per week, from and after the first of August next, instead of two dollars, as heretofore charged. Bills for the support of patients are rendered semi-annually on the first of February and the first of August in each year, and it seemed to us proper that an increased price should not be charged against the several counties and towns, chargeable with the support of the insane poor, or persons in indigent circumstances, without some previous notice to the county officers; so that if they feel required to do so, remove from the asylum, or if patients as they are unwilling should remain at a greater expense to the county, than that heretofore charged.

From past experience in this institution, as well as in other hospitals for the insane, we cannot hope that the price charged for supporting this class of patients can be reduced to less than two dollars and fifty cents per week.

The actual expense of comfortably and properly maintaining and taking care of an insane patient in a well regulated institution, for the care and treatment of the insane cannot probably be reduced, under the best management, below the sum of two dollars and fifty cents per week. This is the lowest charge charged by any of the other State asylums for the insane, except where we have any knowledge in this country, while in all public and private asylums the price uniformly charged for the last few years past, has very considerably exceeded that sum.

The time seems to have arrived, as will be seen by reference to the facts stated in the accompanying report of the superintendent when it is expedient that some changes should be made in the mode of warming and ventilating the asylum buildings. The apartments occupied by the patients have hitherto been warmed by means of thirteen large hot air furnaces placed in the basement of the buildings with flues constructed in the brick partition walls leading from the hot air chambers in the basement to the several stories above. Nine of these furnaces were constructed for the use of wood as fuel and four for coal. Most of these furnaces have become so much worn and damaged by use that it will be difficult to repair them so as to get comfortably through another winter; and experience has shown that this mode of warming buildings is not entirely safe against the hazards of fire; and those hazards, in this instance, are considerably increased by the necessity which is found still to exist to use stoves for warming some parts of the house.

Since these furnaces were constructed various methods have been tried in this country for warming and ventilating asylums, hospitals and other public buildings, in which a pure, warm, but not over heated and dried up atmosphere, is required for the health and comfort of the inmates, and it seems now to be conceded, by all who have paid most attention to this subject and who have had the advantage of the greatest experience, that steam can be better and more advantageously used for warming large public edifices than any other means that have yet been tried.

The apparatus for creating the steam can be placed entirely without the building to be warmed, and thus the hazards of fire, arising from several furnaces, stoves, or other fixtures within the building, be wholly avoided.

In large expensive public buildings, crowded with inmates whose lives would be endangered by a conflagration of the building, this consideration alone should be regarded of great importance. In addition to this it is found that a purer atmosphere, not burned or over heated and freed from the gases, smoke and other impurities escaping at times from the hot air furnaces and

perfectly tight, can be produced by steam conveyed by iron pipes into hot air chambers in the basement, from which moderately warmed air can be introduced in large quantities by suitable flues into all parts of the building required to be warmed. There is also another consideration of some weight in favor of the change now suggested: it will enable us to dispense wholly with the use of wood for fuel, and do away with the necessity of constructing large wood-sheds, which are much needed if the use of wood for fuel is to be continued. We think coal hereafter will be a cheaper fuel for warming the asylum than wood. Our present furnaces consume annually about fifteen hundred cords of wood, which now costs on an average $\$3\frac{1}{8}$ per cord and which has been, to the present time, a less expensive fuel than coal at the price at which coal could be purchased here, but during the last season the Leggets Gap railroad, in Pennsylvania, has been completed, by means of which coal will be furnished in future at Utica, through the Chenango canal; at about \$4 per gross ton.

With the improved mode of warming by steam, can and should be connected a better and more effectual plan of ventilating the asylum buildings, an improved mode of ventilation is much desired. Experience has shown that the method originally adopted of ventilating by small upward ventilating flues, in the partition walls is inadequate to accomplish the object intended. It is ascertained that some artificial or forced ventilation is necessary to render the atmosphere in public buildings of this character pure and perfectly healthful, and that the means of ventilation should be under such control and regulation that they can be adapted to the various changes of the weather; much greater ventilation being required in some states of the atmosphere, than in others. Their forced ventilation can be most advantageously secured by connecting the ventilating flues, from the various rooms of the house with the flue of the chimney which is heated, by the fire by which the building is warmed, thus creating a strong downward draft in the ventilating flues, and which draft may be regulated by a register over the opening flues in the rooms.

There are also some other changes and improvements in the supply and distribution of water which are alluded to by the

superintendent in his report which are much to be desired. The improvement of the grounds in front of the asylum building, by draining, leveling and the construction of walks, and the planting and rearing of more ornamental trees, would add greatly to the beauty and comfort of the establishment. We have foreborne for several years to make this improvement of the grounds in front for the want of means.

The only objection that can be urged against these suggested improvements, is the expense. The cost of constructing the necessary apparatus for warming the building with steam, and of connecting with that an improved method of ventilation, will be greater than if the plan had been adopted and carried into execution in the original construction of the buildings. It involves the necessity, expense and great inconvenience, of cutting out flues in the old walls, and of making various alterations, to adapt the proposed mode of warming and ventilation to the present structures.

We have not yet matured any plan for the work, so as to be able to procure any very reliable estimate of the cost. Before that can be done it will be expedient, if not necessary, to examine other buildings where this mode of warming has been recently introduced, and to consult practical mechanics who have had experience in this kind of work. But from inquiries made as to the cost of similar works in other institutions, and from the best judgment we have been able to form, we think it is not safe to estimate the entire cost of the proposed improvements, at less than forty thousand dollars. We are aware that this will seem to be a large sum to be expended for the purposes mentioned, but the importance of the proposed changes in the mode of warming and ventilating the buildings induces us respectfully but earnestly to recommend to the Legislature to appropriate that sum to enable us to make the improvements suggested. All of which is respectfully submitted,

A. MUNSON,
N. DEVEREUX,
WM. B. WELLES,
CHAS. A. MANN,
SILAS D. CHILDS,
S. NEWTON DEXTER,
T. ROMEYN BECK.

TREASURER'S REPORT.

To the Managers of the State Lunatic Asylum :

The treasurer of the asylum respectfully submits the following summary of his receipts and payments, for the year ending November 30th, 1851.

Receipts.

1850.			
December 1	Balance in the treasury,	\$15,219	21
1850, Dec. 1	} From sundry counties and towns for support of patients,		
to			
Dec. 1851.		30,978	51
	sundry private patients,	25,175	76
	the State Treasurer for salaries of officers,	5,056	34
1850, Nov. 15	“ “ for furniture, appropriation of 1850,	2,500	00
Dec. 1, 1850,	} “ “ for support of insane convicts,		
to			
Dec., 1851.		1,956	72
	the steward for a span of horses sold,	300	00
	“ for sundry articles sold,	433	01
	“ for Journal of In- sanity,	163	52
	Oneida Bank, difference of ex- change,		50
		<hr/> \$81,783 57 <hr/>	

Payments.

From Dec. 1, 1850, to Dec. 1, 1851. }	For provisions and household stores, \$25,768 20	
	furniture,	5,177 67
	attendants, assistants and labor, . . .	13,442 59
	fuel and lights,	8,965 95
	miscellaneous expenses,	252 74
	farm, grounds, garden and barn, . .	3,115 54
	books, stationery, printing, &c	661 83
	the steward, for petty expenses . . .	904 89
	salaries of officers,	5,021 03
	medicines and medical supplies . .	757 89
	additions, alterations and repairs. .	7,147 30
	clothing of patients,	6,080 42
	patients' miscellaneous account . . .	576 04
	refunding to sundry patients on leaving the asylum,	106 62
1851, Dec. 1	Balance to new account,	3,804 86
		<u>\$81,783 57</u>

EDMUND A. WETMORE,

*Treasurer.**Utica, December 1, 1851.*

NINTH ANNUAL REPORT

Of the Superintendent to the Managers of the New-York Lunatic Asylum, for the year ending November 30th, 1851.

Gentlemen—The past year has closed with the usual success in the affairs of the institution.

	Males.	Females.	Total.
The number of patients at the commencement of the year was,	202	227	429
Received during the year,	185	181	366
Whole number during the year,	<u>387</u>	<u>408</u>	<u>795</u>

There has been only one admission less this year than last. We have, however, been obliged to refuse a greater number of applications than in previous years. It is a matter of regret to have been thus under the necessity of denying a shelter to any one seeking a refuge within our walls, yet this has been unavoidable, under the law regulating the admission of patients which gives preference to recent and curable cases. We refused forty-seven; sixteen of whom were from other states. The thirty-one refusals from our own State belong to the private class. None of them were recent, and the most of them were of many years standing. At one time when our population amounted to 468 we were obliged to postpone applications from county authorities until we could make vacancies by removing some of our incurable private patients.

Of the admissions, 99 were paupers, 114 indigent, 10 criminal and 143 private. Of those sent as paupers, 70 were recent and probably curable; 29 doubtless incurable. Of the indigent class there were eight received who had been insane more than a year

While the law regulating the admission of indigent patients states that the person shall have become insane within a year next prior to the order for admission, evidently contemplating recent and curable cases only ; still, improper persons occasionally obtain its benefits. Those in whom insanity has been of long standing, but not of a form to attract much attention, have been proved, to the satisfaction of the judge, to be of recent date, and sent accordingly. It is desirable, that as much accuracy as possible obtain in relation to this matter, and that protracted cases should not be sent under the law for the relief of indigent persons as now modified.

Of the criminal class admitted this year, 7 were from Auburn prison, 1 from Sing Sing prison, 2 from county jails, one of the latter awaiting trial, the other acquitted on the ground of insanity, and sent here for safe keeping. Last year we received 8 from Auburn and 2 from Sing Sing. There must be some causes for this striking disproportion in the frequency of insanity in these two prisons. Every incurable prisoner admitted becomes a life member of our family, and the accumulation of past years now gives us a criminal population of 33. The usefulness of the asylum as a curative institution, as well as common humanity, demands that all these facts should not pass unnoticed.

Of the private patients 93 were recent, and probably curable, 52 chronic and doubtless incurable. The law permits the admission only of recent and curable cases of this class, yet the custom has been to receive, when then there is room, old cases also. This has been continued during the past year, but it will be impossible to do so longer. Recently we have had to obtain the removal of incurable private patients to make room for those having preference by law, some of whom have been among the oldest residents of the house, and by right of possession, seemed to claim the privilege of remaining. The law, however, which must be our guide, says :

§ 41. "The managers upon the superintendent's certificate of complete recovery, may discharge any patient, except one under a criminal charge, or liable to be remanded to prison ; and they may discharge any patient admitted as "dangerous," upon the

superintendent's certificate that he or she is harmless and will probably continue so, and not likely to be improved by further treatment in the asylum, or when the asylum is full, upon a like certificate that he or she is manifestly incurable and can probably be rendered comfortable at the poor house; or, any patient sent to the asylum by the superintendents or overseers of the poor, or by the first judge of a county, so that preference may be given in the admission of patients to recent cases, or cases of insanity of not over one year's duration; and, they may also discharge and deliver any patient, except one under criminal charge as aforesaid, to his relatives or friends, who will undertake, with good and approved sureties, for his peaceable behavior, safe custody and comfortable maintenance, without further public charge."

There have been discharged :

	Males.	Females.	Total.
Recovered,	58	54	112
Much improved,	9	6	15
Improved,	19	32	51
Unimproved,	57	77	134
Died,	24	24	48
	<u>167</u>	<u>193</u>	<u>360</u>

There remained at the close of the year, Nov. 30th, 1851 :

Males,	220
Females,	215
Total,	<u>435</u>

Of the recoveries 30 were paupers, 38 indigent, 1 criminal, and 43 private. There are also now in the institution 16 who are well, but remain to confirm convalescence. This precaution we consider so essential to permanent recovery, that we not unfrequently retain patients for months after they seem apparently well. Occasionally we feel obliged, by the incessant importunities of unreasonable friends, to consent to a premature removal, but are glad to be able to report this annoyance diminishing. As people become more enlightened on this subject, they trust less to their

own judgment, and an acquaintance with the regulations of the institution teaches them that they have no control over the matter. To guard against the recurrence of disease, patients generally co-operate cordially in these precautionary measures, and spend the time of convalescence contented and happy.

Of the 112 cases discharged recovered, the duration of insanity before admission was :

	Males.	Females.	Total.
One month and under,.....	25	11	36
Two months.....	14	18	32
Three do	4	8	12
Four do	6	4	10
Five do	2	3	5
Six do	0	3	3
Seven do	1	0	1
Eight do	1	3	4
Nine do	1	1	2
Ten do	0	1	1
Eleven do	1	0	1
One year and over,.....	1	2	3
Unknown,.....	2	0	2
Total,.....	58	54	112

The duration of insanity in many cases, cannot be accurately ascertained. The change from a natural, healthy, vigorous condition of mind, to the opposite, is often so gradual and imperceptible as to elude observation until the disease is fully developed and established. The popular mind is apt to disregard the slighter symptoms of mental aberration, and even the county officers, on whom the law imposes the duty of investigating the subject closely, are often deceived. Hence it happens, that during the past year we have received on a judge's order, patients who have been deranged for many years, some ten years, certified by physicians that their insanity commenced within a year.

Of the 112 recoveries, the period of residence in the Asylum was :

	Males.	Females.	Total.
Two months and under,..	9	1	10
Three months,.....	4	2	6
Four "	13	11	24
Five "	7	6	13
Six "	10	7	17
Seven "	1	7	8
Eight "	3	3	6
Nine "	4	2	6
Ten "	1	3	4
Eleven "		3	3
One year and over,.....	5	8	13
Two years,	1	1	2
Total,.....	58	54	112
	=	=	=

Of this number 38 were indigent. The law humanely entitles this class to a residence of two years, but the above table will show how few have needed this time. The early admission of the majority of these cases is favorable to prompt recovery.

The perfection and permanency of recoveries not unfrequently is cause of doubt and anxiety. Of the 1,300 recoveries of the past nine years, 206 have been re-admissions. Of the 51 re-admissions of this year 11 were persons who had been discharged well in 1850. Two of these 11 were discharged recovered in 1846 and 1847, one in 1847 and 1849, one in 1846, two in 1849, making in 11 persons 20 recoveries, and 31 admissions. No one discharged recovered, since Nov. 30, 1850, has yet returned.

There have been discharged, as in former years, many improved and unimproved incurables, more belonging to the class of private patients than heretofore. This has been necessary from the increasing demand for admission by pauper and indigent persons, to whom preference is given. All or nearly all of the private incurables will doubtless have to be removed at no distant day. While the benefits of the institution are extended to a much

greater number by those changes, its labors and anxieties are correspondingly increased.

Our report this year shows a smaller proportion of recoveries than usual, for the reason that we have been cautious in pronouncing a case recovered, though apparently well. We place all the cases of insanity from intemperance, from epilepsy, from general and gradual impairment of the faculties by age and paroxysmal cases, though leaving the institution "well," under the head of improved, instead of recovered. The reason is obvious, there being no certainty that any of these classes will remain well any considerable time. Though a man made insane by excessive drinking, may by six or twelve months residence become well, and remain so while here, yet it is doubtful, whether after restraint is removed, the propensity will not again return. It is only after a fair exposure to the temptations and disturbing cares of the world, that the result can be known. Insanity from epilepsy cannot in fact be cured, except by recovery from the epileptic disease which rarely if ever, takes place. So also of the other forms mentioned, of which we report no cases of cure. This curtailing of the list of cures does not give us a good show of figures, but we hope the recoveries will be more permanent, gaining on this hand what is lost on the other.

We have much cause of gratitude for the diminished mortality, the ratio of deaths being less than for five years previous. There has also been less sickness. Dysentery, diarrhœa and erysipelas, are the diseases with which we have to contend most frequently, and when our ventilation shall be improved, we hope to see these disappear. We have had, during the year, 41 cases of dysentery, 25 males, 16 females. Duration of the disease varied from three to twenty days; average, nine days. One case in December, 1 in February, 3 in April, 1 in May, 1 in June, 2 in July, 23 in August, 10 in September. Fifty-five cases of diarrhœa: 23 males, 32 females; duration from 2 days to 2 months. These cases occurred during the same months with those of dysentery, 30 of them in August; 24 cases of erysipeles, 9 males, 15 females; 3 of them were in December, 1 in January, 6 in March, 3 in April, 4 in May, 2 in June, 1 in August, 1 in September, and 3 in October. Average duration 11 days. Six cases of typhoid, 3

of remittent, and one of intermittent fever. Acute affections of the lungs have been rare. We have had 5 cases of purulent ophthalmia, the first of which came to us from Erie county. Soon after her admission, 4 of her companions were attacked, and all 6 were immediately isolated from the other patients, and recovered without loss of vision. One case of insanity, complicated by chorea and pregnancy, recovered after parturition, which occurred here.

The 48 deaths were, by

	Males.	Females.	Total.
Dysentery,	1	5	6
Diarrhœa, .....	..	1	1
Erysipelas, .....	..	4	3
Phthisis pulmonalis,	5	6	11
Chronic insanity,	7	3	10
Acute mania, .....	..	1	1
General paralysis,	2	..	2
Epilepsy,	3	2	5
Pleurisy,	1	..	1
Malignant pustule, .....	..	1	1
Rheumatism,	1	..	1
Intemperance,	1	..	1
Suicide,	3	2	5
	<hr/>	<hr/>	<hr/>
Total,	24	24	48

Deaths occurred in the following months :

	Males.	Females.
December,	4	2
January,	2	1
February,	2	1
March,	1	1
April,	5	1
May,	4	1
June,		3
July,	4	1
August, .....	..	2
September, .....	..	6
October,	1	2
November,	1	3
	<hr/>	<hr/>
	24	24
	<hr/>	<hr/>

We report but one death from exhausted mania, though we have received 22 cases, 11 of each sex, a much larger number than usual, and of a more alarming character than any I have before witnessed. We attribute our success entirely to the stimulant treatment.

The number of deaths by suicide is very large. The general prevalence of the suicidal propensity, which was mentioned in my last report as subsiding, returned with increased intensity, and continued through the winter and spring. In one case the act was committed soon after the admission of the patient, in whom there was no knowledge of the existence of the propensity; another had been, during a residence of many months, remarkably cheerful and happy; an attack of erysipelas of the face confined him to bed, and rendered him very uncomfortable, and at the height of the disease, he suspended himself from his window. All the suicides were by suspension from the window bars, except one. To guard against such accidents, we have now adapted to a part of them, sash locks, which secure the windows from being opened and exposing the bars. This arrangement, while it accomplishes one object, deprives these rooms of natural ventilation, which when we have no artificial ventilation is a great desideratum.

Statistics of the Asylum from its opening, January 16th, 1843, to December 1st, 1851.

Total number of admissions,	3,109
discharges,	2,674
as recovered,	1,300
much improved,	23
improved,	511
unimproved,	472
died,	368

The form of derangement in 366 cases admitted during the year ending Nov. 30, 1851, was :

	Males.	Females.	Total.
Exhausted mania,	11	11	22
Acute mania,	33	36	69
Sub-acute mania,	48	39	87

	Males.	Females.	Total.
Chronic mania,	37	22	59
Monomania,	3	10	13
Melancholy,	15	38	53
Paroxysmal mania,	3	11	14
Acute dementia,	7	6	13
Chronic dementia,	8	6	14
General paralysis,	1	..	1
Epilepsy,	5	1	6
Moral insanity,	1	..	1
Intemperance,	9	..	9
Feigned insanity,	4	..	4
Idiocy, .....	..	1	1
	<u>185</u>	<u>181</u>	<u>366</u>

The cases of exhausted mania were all of an aggravated character, such as we have in previous years treated with painful want of success. While we attribute the recovery of these cases exclusively to the use of stimulants, yet we consider rest and nutrition important adjuvants in their treatment.

The cases classed as acute mania are the ordinary cases of high maniacal raving of recent origin, while the term sub-acute is applied to those of longer duration, with a lower grade of excitement.

The ages of 366 patients admitted during the year, are,

Under 15 years,	3
From 15 to 20 years,	16
20 to 25 do	64
25 to 30 do	59
30 to 35 do	46
35 to 40 do	40
40 to 45 do	46
45 to 50 do	39
50 to 55 do	26
55 to 60 do	10
60 to 65 do	8

From 65 to 70 years,	5
70 to 75 do	2
75 to 80 do	2
	<hr/>
Total,	366
	<hr/>

Our youngest patient at this time in the house is 11, the oldest 94 years.

We have not carried out the idea suggested last year of employing experienced teachers for the young, still we do not abandon it.*

Monthly admissions for the year ending Nov. 30th, 1851 :

	Males.	Females.	Total.
December,	15	10	25
January,	22	6	28
February,	12	22	34
March,	14	13	27
April,	14	17	31
May,	16	20	36
June,	17	25	42
July,	12	13	25
August,	16	23	39
September,	23	18	41
October,	13	11	24
November,	11	3	14
	<hr/>	<hr/>	<hr/>
Grand total,	185	181	366
	<hr/>	<hr/>	<hr/>

Occupation of 366 patients admitted during the year ending Nov. 30th, 1851.

Farmers,	51
Laborers,	37
Joiners,	8
Schoolboys,	8
Merchants,	6

* We have one patient attending a boarding school in the city who is still under our care, and reports himself weekly at the Asylum.

Shoemakers,	6
Clergymen,	5
Clerks,	4
Scholars,	3
Teachers,	3
Lawyers,	3
Cabinet makers,	3
Coach makers,	3
Tailors,	3
Silversmiths,	3
Physicians,	2
Blacksmiths,	2
Coopers,	2
Tanners and curriers,	2
Inn-keepers,	3
Pedlers,	2
Speculators,	2
Dentists,	2
Butchers,	2
Druggists, ..	2
Theological students,	1
Law do	1
Medical do	1
Telegraphic operators,	1
Stage proprietors,	1
Weavers,	1
Grocers,	1
Hatters,	1
Machinists,	1
Gunsmiths,	1
Operative,	1
Porter,	1
Comb maker,	1
Book-keeper,	1
Quack-doctor,	1
Idlers,	1
House-keepers,	93
House-work,	65
Mantua-makers,	6

Seamstresses,	5
Instructresses,	4
School girls,	4
Tailoresses,	2
Milliners,	1
Laundresses,	1
Total,	366

Civil condition of 366 patients admitted during this year :

	Males.	Females.	Total.
Married,	96	89	185
Single,	80	76	156
Widows, .....	..	16	16
Widowers,	9	..	9
Total,			366

Nativity.

New-York,	246
Ireland,	29
Connecticut,	15
Vermont,	12
Germany,	12
Massachusetts,	11
England,	10
New-Hampshire,	5
Canada,	4
Pennsylvania,	4
New-Jersey,	4
France,	4
Switzerland,	3
Rhode-Island,	2
Wales,	2
Maine,	1
Virginia,	1
West Indies,	1
Total,	366

Probable cause of derangement in 366 cases :

	Males.	Females.	Total.
Intemperance,	44	1	45
Masturbation,	31	3	34
Grief,	3	18	21
Strong predisposition from previ- ous attacks,	10	12	22
Puerperal, .....	..	18	18
Change of life, .....	..	13	13
Fatigue and anxiety, .....	..	13	13
Domestic trouble,	7	12	19
Disappointment in love,	1	6	7
Dyspepsia and constipation,	3	5	8
Epilepsy,	6	1	7
Suppression of menses, .....	..	6	6
Menorrhagia, .....	..	4	4
Ammenorrhœa, .....	..	6	6
Continued Fever,	4	3	7
Defective training,	5	..	5
Religious excitement,	3	6	9
Business perplexities,	13	3	16
Excessive labor,	8	..	8
Religious anxiety,	1	2	3
Fright,	1	2	3
Imprisonment,	3	..	3
Apoplexy, .....	..	2	2
Want and destitution,	1	5	6
Seduction, .....	..	1	1
Remorse,	1	..	1
Measles,	1	1	2
Loss of sleep,	4	..	4
Excessive venery,	1	..	1
Violent temper, .....	..	2	2
Phthisis,	2	1	3
Nostalgia,	1	1	2
Celibacy, .....	..	2	2
Deafness,	1	1	2
Coup de soleil,	2	..	2
Meningitis,	2	6	8

	Males.	Females.	Total.
Injury of head,	1	..	1
Rheumatism,	1	1	2
Chorea, . . . . .	..	1	1
Mammary abcess, . . . . .	..	1	1
Menstrual irregularity, . . . . .	..	3	3
Care of insane relation, . . . . .	..	2	2
Protracted lactation, . . . . .	..	3	3
Scrofula, . . . . .	..	1	1
Popular errors,	5	5	10
Unknown,	19	14	33
	<u>185</u>	<u>181</u>	<u>366</u>

Number of persons admitted during the year ending November 30th, 1851, and how supported; also the number of patients at the close of the year, and the counties from which they came.

COUNTIES.	How sent.					Total number at close of year.				
	Paupers.	Indigent.	Oriminal.	Private.	Total.	Paupers.	Indigent.	Oriminal.	Private.	Total.
Albany,	10	2	...	4	16	15	8	1	8	32
Allegany, .....	...	...	...	4	4	...	1	...	3	4
Broome,	2	1	...	3	6	3	1	...	3	7
Cattaraugus, .....	...	...	...	1	1	1	1	...	1	3
Cayuga,	4	5	...	4	13	4	6	1	3	14
Chautauque,	4	...	...	1	5	5	1	1	2	9
Chemung, .....	...	2	...	2	4	1	1	...	1	3
Chenango,	1	...	...	3	4	3	...	...	2	5
Clinton, .....	...	1	...	...	1	2	2	1	...	5
Columbia, .....	...	1	...	3	4	1	2	...	6	7
Cortland, .....	...	3	...	2	5	...	2	...	2	4
Delaware, .....	...	3	...	1	4	...	2	...	...	2
Dutchess,	2	...	...	2	4	2	2	...	1	5
Erie,	5	...	...	3	8	3	2	...	3	8
Essex, .....	...	1	...	...	1	...	...	...	...	...
Franklin, .....	...	...	...	...	...	...	...	...	...	...
Fulton, .....	...	2	...	1	3	1	2	...	...	3
Genesee, .....	...	2	...	2	4	...	2	...	1	3
Greene,	1	4	...	2	7	2	3	...	2	7

Number of persons admitted, &c.—(CONTINUED.)

iber at close of year.

	Criminal.	Private.	Total.
Putnam,.....	...	...	...
Putnam,.....	...	1	12
Queens,.....	...	3	10
Rensselaer,.....	...	...	...
...	...	1	3
...	...	3	5
...	1	6	11
...	1	2	13
...	...	3	6
...	3	5	8
...	1	...	6
...	2	18	46
...	...	5	19
...	...	7	16
...	...	4	10
...	...	1	2
...	1	...	7
...	1	5	8
...	...	...	1
...	...	2	3
...	...	5	11

The time is perhaps not far distant when it may be deemed by the Legislature, necessary as well as expedient to make some further provisions for the insane, than what is furnished by this institution. If the increasing population of the State, hereafter demands that provisions should be made for the care and cure of a greater number of the insane than can be received into this asylum, the State may deem it wise not to give this any greater capacity, as was originally contemplated by its founders, but to provide other institutions in such other sections of the State as will best accommodate the class for whose benefit they are intended.

But every consideration demands that this institution should be first perfected. If a thing once well done is twice done; if there is to be progress in the provisions for the insane; if the State has a commendable pride in seeing her institutions rank with those of sister States; if, indeed, the safety and protection of its inmates is matter of moment, no time should be lost in putting this asylum in thorough repair, in providing safe, convenient and abundant arrangements for warming, ventilation and the distribution of water, all imperiously demanded, both by the condition of the house and the necessities of its inmates. This matter was referred to last year, and must now be plainly set forth. This institution is now defective in its mode of heating.

It appears from the history of the institution, that my lamented predecessor, Dr. Brigham, and the board of managers associated with him in organizing and conducting it prior to his death, labored under great embarrassments in providing all the different arrangements for a supply of water, and for needful warmth and ventilation, and for cooking. The State had already expended a large amount in the construction of the main front edifice; the commercial revulsions of 1842, left its treasury with limited means to prosecute its enterprises. In addition to this, many of our legislators were impressed with an opinion that the expenditures on that part of the edifice above specified, were inordinately large, and they consequently were reluctant to consent to further appropriations.

Under such discouraging circumstances they were therefore necessarily confined to the most rigid economy in all the arrangements requisite to prepare the institution for its intended use, and to place it in a condition to display at once its usefulness and necessity to the whole community. The success of their joint endeavors entitles them to great credit.

The arrangements for heating, cooking and supplying water to this extensive establishment were matured and carried out within the limited means at their command ; and, considering that circumstance, as well as the general want of experience and scientific knowledge which at that time existed, in regard to warming and ventilating great public institutions, they accomplished their object at a small expense more perfectly and satisfactorily than it could have been anticipated. Indeed, the fact that other institutions adopted similar arrangements for similar purposes, shows that they were then considered better than those in general use. For comfort, safety, and economy of construction, they were well worthy of commendation at that day.

But time and use have greatly impaired the furnaces and other warming apparatus until they are now far from being adequate to the present wants of the institution ; and, like all other arrangements for heating, where the fire itself, whether the fuel be wood or coal, is within the building, they expose it to the hazard of fire, and more particularly in our case, because of long usage and consequent decay. They have, from the same causes, become troublesome and noxious by permitting the escape of smoke and gases, from which we suffer, at times, very seriously. Protection against these eminent hazards to life and health, is imperatively demanded.

The only remedy seems to be a change in the mode of heating and ventilating, and new apparatus for that purpose.

The latest experience and authorities concur in commending the use of *steam* or *hot water*; as the most efficient, manageable, and safe means for warming hospitals, asylums, and other large edifices ; and although the first outlay is considerable, the completeness of the result, is such as to justify it.

Of the two, *steam* is well adapted to our purposes, for various reasons :

1. When the necessary apparatus is properly constructed, it relieves us from all hazard of conflagration.

2. It perfectly distributes warmth in all parts of the edifice: and effectually prevents all annoyance from smoke, gas, and dust.

3. It produces a balmy, pure, and healthful warmth, and does not impart to the air that dryness which is caused by other modes of heating generally in use.

4. The apparatus which is the source of heat, being entirely beyond the reach of the patients, is peculiarly adapted to asylums for the insane on the score of safety, as well as of health and comfort.

5. The facility with which it may be connected with advantageous modes of ventilation ; a point hitherto greatly neglected, but which should on no account be omitted in connection with any provision for warmth. The discharge of impure air is as necessary as the introduction of pure air, into any dwelling, but more especially is forced ventilation requisite in buildings occupied by great numbers, and where the sources of impurity are abundant.

I am fully aware of the expense which must attend the changes and improvements suggested. But my sense of their absolute necessity is so strong that I should fail in my duty to the institution intrusted to my charge, not to press them upon you as forcibly as I can, and through you upon the Legislature. All the experiments made up to this time convince me that the mode I have recommended for warmth and ventilation, is the only one worthy of being adopted ; and the first expense should not be in the way of its immediate application. When you consider the time required to mature and accomplish such changes as are suggested, and reflect upon the present imperfect and decayed state of our apparatus for heating, the almost entire want of ventilation, and the constant hazards by fire, to which are exposed 450 patients and their attendants with this noble structure, the

urgency and immediate need of a radical reform in these particulars, will be so obvious as to prompt instant efforts to secure it.

The magnitude of the proposed work to warm and ventilate the building, and its expense, would seem to forbid my urging upon you, at this time, other improvements and repairs; but their absolute necessity compels me, reluctantly, to bring to your notice the defective condition of the fixtures for distributing the water required for the purposes of the asylum.

Our tanks and reservoirs for receiving and distributing water, being made of wood and lined with lead, have caused us much trouble by leakage, and consequent damage to the ceilings and walls, and have been very expensive in repairs. Our distributing pipes are also mostly of lead, and worn out.

Experience has proved that iron tanks and reservoirs, and distributing pipes of wrought iron, are the only safe and proper fixtures for this purpose. We shall very soon be absolutely compelled to adopt them. This change, however, urgent as it is, may be deferred until the more important one for warming and ventilating has been accomplished, unless a sufficient appropriation can be obtained to prosecute them both at the same time.

Our water-closets and washing and bathing rooms, from long use and decay, absolutely require thorough renovation, at a considerable expense. This improvement cannot be longer delayed with propriety.

We have not permitted the year to pass without doing much towards the improvement of the farm. Eleven thousand five hundred feet of tile drains have been laid, and with such decided advantage, that we purpose continuing the work till twenty thousand tile are put down. One hundred and thirteen rods of large open water courses have also been constructed, into which these drains empty, and roads, and stone and brick arched bridges built, all of which, though expensive, are highly satisfactory in their results.

The removal and re-arrangement of the farm buildings also procure comfort and satisfaction.

The plan of medical and moral treatment detailed in our last report, is still continued, adding from time to time such improvements as are within our reach. Especially do we strive to occupy our whole household, and have succeeded probably to an extent not heretofore equalled.

The amount of reading matter we are able to place in the hands of the patients is very large. Our patients receive, in exchange for "The Opal," a newspaper edited by themselves, two hundred and twenty weeklies, 4 semi-weeklies, 8 dailies and 33 monthlies, and the list is still upon the increase. These embrace most of the popular magazines, such as Harper, Graham, Godey, Sartain, &c., and papers and periodicals from every part of our own State, and from nearly all the other States of the Union, representing every party of politics, every religious denomination and many published in the French, Welsh, and German languages. We are therefore enabled to offer intellectual food and a constant intercourse with the transactions of the world, to our whole family. This is a source of unspeakable comfort, especially to those who have been long here and who cannot look for actual reunion with society. The Opal was published at 50 cents per annum, and from the year's proceeds, 650 volumes, standard works, have been purchased as a nucleus for a "patient's library." These books are read with interest and profit. It will be continued, but in magazine form, double its former size and subscription price. Plays, tableaux, theatrical exhibitions, fairs, were frequently repeated during the year. These amusements are more generally enjoyed by our household than any other pastime. A limited number have enjoyed excursions. Several parties visited Trenton falls, three parties Niagara falls, some the State fair at Rochester, and returned by way of Seneca and Cayuga lakes, and the Erie railroad. Scarcely a concert given in Utica, from Jenny Lind's down, to which we have not sent a delegation; and the scientific, literary and religious lectures, with which our city is abundantly favored, have been equally well attended.

As heretofore, the farm and garden in summer, and the work shops and wood yard in winter, have furnished the chief occupation for the males, and the sewing rooms for the females,

The steward reports, as raised on the farm :

Corn,.....	150 bushels.
Potatoes,.....	548 "
Hay,	80 tons.

Valued at \$900.

On the garden :

Cress, or pepper grass,	206 bunches.
Lettuce,	778 "
Radishes,	72 "
Parsley,	145 "
Asparagus,	700 "
Rhubarb,	720 "
Goosberries,	95 quarts.
Raspberries,	48 "
Strawberries,	96 "
Currants,	1,797 "
Green peas,	37 bushels.
Cucumbers,	10 barrels.
Melons,	500 "
Winter squashes,	1,000 "
Summer "	42 dozen.
Tomatoes,	160 bushels.
Salsify,	4 "
Cabbage,	6,000 heads.
Cellery,	1,300 "
Beets,	400 bushels.
Carrots,	500 "
Parsnips,	300 "
Onions,	210 "
Turnips,	220 "
String beans,	6 "
Peppers,	8 dozen.

Valued at \$1,100, and all used in the house.

We keep 20 cows to furnish milk for the tables, 8 horses for riding, driving and farming. We have now a four horse establishment, carrying 25 persons, for the use of the patients.

We employ some twelve mechanics, who, in the various shops, take charge of the patients, and, with their assistance, turn out much work. The tailor shop, alone, has made at the rate of 500 garments per year. The female patients, and their attendants, have made up articles used in the establishment, numbering over 5000, the labor of which would have cost about \$1,500.

Permit, me, gentlemen, in conclusion, to express to you my appreciation of your demonstrations of continued confidence in me. With the assistance of your advice and counsel, I feel assured that all our undertakings will be crowned with success.

Dr. Cook and Dr. Gray, my associates in the labors and anxieties of this great family, deserve special commendation for the zeal, ability and success with which they have discharged their respective duties.

The matron, Mrs. Smith, has continued to render very efficient and valuable service, in the conduct of all matters entrusted to her charge.

To all, indeed, who have been engaged in the institution, and devoted their energies to its self-denying labors, faithfully, cordially, and kindly, we gladly accord the praise they justly merit.

To our friends, abroad, who have remembered our sorrowing household, and afforded pleasure and profit by their contributions, we return our warmest thanks.

Imploring the continued blessing and protection of Heaven upon all here assembled, we respectfully submit this report.

N. D. BENEDICT.

November 30th, 1851.

APPENDIX.

For the information of those who may desire to place their friends in this institution, we add the law regulating the admission of patient:

“ Each county may at all times have one indigent insane patient in the asylum, whose disease at the time of admission was a first attack, and did not exceed six month; and such further number of either old or recent cases as the Asylum can accommodate, in proportion to the insane population of the county. The patients shall be designated by the superintendents of the poor, or, if the county has no such superintendents, by the first judge. (Chap. 135, Session Laws, 1842, sect. 25.)

“ The county superintendents of the poor of any county, and any overseers of the poor of any town, to which any person shall be chargeable, who shall be or become a lunatic, may send such person to the Lunatic Asylum by an order under their hands.”

Under this law an order of the superintendent of the poor for the county, or of the overseers of the poor of the town to which the patient is chargeable, and which pays the expense without recourse to the county, is all that is necessary for admission of any poor person. Where the order is made by the overseers of the poor of a town, it should be stated that the town alone is liable for the support of the patient, and not the county.

The order of a county judge secures the admission of *indigent* persons, not *paupers*, in which order it must be stated that the applicant became insane within one year prior to the date of the order. Sec. 26, of act of 1842, is as follows:

“ When a person in indigent circumstances, not a pauper, becomes insane, application may be made in his behalf to the first

judge of the county where he resides; and said judge shall call two respectable physicians and other credible witnesses, and fully investigate the facts of the case, and either with or without the verdict of a jury, at his discretion, as to the question of insanity, shall decide the case as to his indigence. And if the judge certifies that satisfactory proof has been adduced showing him insane, and his estate is insufficient to support him and his family, (or if he has no family, himself,) under the visitation of insanity, on his certificate, authenticated by the county clerk and seal of the county courts, he shall be admitted into the asylum and supported there at the expense of said county, until he shall be restored to soundness of mind, if effected in two years. The judge, in such case, shall have requisite power to compel the attendance of witnesses and jurors, and shall file the certificate of the physicians, taken under oath, and other papers, with a report of his proceedings and decision, with the clerk of the county, and report the facts to the supervisors, whose duty it shall be, at their next annual meeting, to raise the money requisite to meet the expenses of support accordingly."

The above law was changed by chap. 282, Session Laws, 1850, sec. 2, of which is as follows:

"No person in indigent circumstances, not a pauper, shall be admitted into the asylum on the certificate of a county judge, made under and pursuant to the provisions of the twenty-sixth section of the "*Act to organize the State Lunatic Asylum, and more effectually to provide for the cure, maintenance and recovery of the insane,*" passed April 7th, 1842, unless such person has become insane within one year next prior to the granting of such certificate by the county judge, and it shall be the duty of said judge when an application is made to him, pursuant to said twenty-sixth section of said act, to cause such reasonable notice thereof, and of the time and place of hearing the same, to be given to one of the superintendents of the poor of the county chargeable with supporting such persons in the asylum it admitted, or if such expense is chargeable to a town, or city, then to an overseer of the poor of such town, or city, as he may judge reasonable under the circumstances, and he shall then proceed to enquire as to the

time when such person became insane, and shall in addition to the requirements of said twenty-sixth section, state in his certificate that satisfactory proof has been adduced before him, that such person became insane within a year next prior to the date of his certificate. On granting such certificate the judge may in his discretion require the friends of the patient to give security to the superintendent of the poor of the county, to remove the patient from the asylum at the end of two years, in case he does not sooner recover. When a patient who is admitted into the Asylum on the certificate of a county judge, given pursuant to the twenty-sixth section of the aforesaid act, has remained in the Asylum two years, and has not recovered, the superintendent of the Asylum shall send notice by mail to the overseer of the poor of the town where the patient resided at the time of his admission into the Asylum, or to the county judge of the county from which he was sent, that such patient has remained two years in the Asylum and has not recovered, and that he should be removed from the Asylum, and that in case he is not removed the expense of his support will be chargeable to the county until he is so removed, and then such expense shall be chargeable to the county accordingly, but in every case where a patient admitted into the Asylum pursuant to the provisions of the twenty-sixth section of said act shall have remained there two years, and has not recovered, the managers of the Asylum may, in their discretion, cause such patient to be returned to the county from which he came, and charge the expense of such removal to the county."

The object of this humane provision is undoubtedly to extend the benefits of this institution to persons with limited means, whose insanity is of a recent date, and therefore probably curable, and if recovered in the space of two years, restoring them to their families and their property unimpaired, and saving them from the paralyzing influence upon their future life, of finding themselves by the loss of health and reason, reduced to beggary. Patients sent through this channel generally supply their own clothing, and pay their travelling expenses to and from the Asylum. If not recovered in two years, the law requires that they then be removed, and if their friends do not remove them, the superintendents of the poor may have the disposal of them; or they may be sent to the county from which they came.

“ Whenever there are vacancies in the Asylum, the managers may authorize the superintendent to admit, under special agreements, such recent cases, as may seek admission under peculiarly afflictive circumstances, or which, in his opinion, promise speedy recovery.”

No patient can now be received at private expense, not coming strictly within the meaning of this law. The incurable patients of this class are now in course of removal.

Patients supported by their friends are received without any other papers than certificates from county or bank officers or other prominent individuals, of the ability of those who become bound for their support in the Asylum, to meet all expenses incurred. The form of agreement entered into by the person or sureties who become bound for the patient admitted is as follows :

“ Whereas _____, of the town of _____, in the county of _____, an insane person, has been admitted as a patient into the N. Y. State Lunatic Asylum at Utica : Now, therefore, we, the undersigned, in consideration thereof, bind ourselves to Edmund A. Wetmore, Treasurer of said Asylum, to pay to him and his successors in office the sum of _____ dollars and _____ cents per week, for the care and board of said insane person so long as he shall continue in said Asylum, with such extra charges as may be occasioned by his requiring more than ordinary care and attention, and also to provide him with suitable clothing and pay for all such necessary articles of clothing as shall be procured for him by the Steward of the Asylum, and to remove him from the Asylum whenever the room occupied by him shall be required for a class of patients having preference by law, and if he shall be removed at the request of his friends before the expiration of six calendar months after reception, then we engage to pay board for twenty-six weeks, unless he should be sooner cured, and also to pay, not exceeding fifty dollars, for all damages he may do to the furniture or other property of said Asylum, and for reasonable charges in case of elopement, and funeral charges in case of death ; such payments for board and clothing to be made semi-annually, on the first day of February and August in each year, and at the time of removal with interest on each bill, from and after the time it becomes due.

In witness whereof we have hereunto set our names this the— day of — in the year 1850.”

This agreement or understanding is generally signed by near relatives or other friends of the patient or legal guardians, if any such there be, at or prior to the time of admission or subsequently upon the deposit, on the admission of the patient, of a sum of money sufficient to secure its execution.

The charges for board for this class of patients vary from three to five dollars per week according to the circumstances of the case. Indigent persons who pay their own expenses are received at two dollars and fifty cents per week.

“ When an insane person in indigent circumstances shall have been sent to the asylum by his friends, who have paid his bills therein for six months, if the superintendent shall certify that he is a fit patient and likely to be benefited by remaining in the institution, the supervisors of the county of his residence are authorized and required, upon an application under oath in his behalf, to raise a sum of money sufficient to defray the expenses of his remaining there another year, and to pay the same to the treasurer of the asylum. And they shall repeat the same for two succeeding years, upon like application and the production of a new certificate each year, of like import from the superintendent.”

As all or nearly all insane persons are “ fit ” patients for a Lunatic Asylum, and as all such as are unable to take care of themselves would be “ benefited ” by being properly cared for in such an institution, therefore the law doubtless contemplates cases that are likely to result in, or approach at least to recovery, and only in such cases would we feel justified in making the certificate the law demands.

We regret to be obliged to call the attention of county officers to the following law, which is too frequently overlooked or disregarded :

“ All town and county officers sending a patient to the Asylum, shall, before sending them, see that he is in a state of per-
[Senate, No. 46.]

fect bodily cleanliness and is comfortably clothed, and provided with suitable changes of raiment, as prescribed in the by-laws."

We request especially that patients brought to us from county houses be clean and free from vermin.

All patients require at least two suits of clothing and several changes of under-garments. Most of the patients go out regularly and consequently require clothing suited to the seasons. For males, great-coats and boots are required in winter; shoes will answer in the summer; slippers are worn in the house. Females also need ample clothing for riding or walking in the winter. The supply should be liberal when it can be afforded. All clothing is marked with the name of the patient to whom it belongs, and much pains are taken to have it kept in good order and repair.

The removal of a patient should not be attempted while laboring under severe bodily disease, as fevers, erysipelas, large and dangerous wounds or sores, consumption, &c.

In conveying a patient to the asylum, let it be done by force rather than by deception. Truth should not be compromised by planning a journey to Utica or a visit to the Asylum, and when there suggesting the idea to the patient of staying, while their admission was already decided upon; nor should patients be induced to come and stay a few days to see how they like it, under the impression that they can leave at pleasure. Such treachery not only destroys confidence in friends, but also too often in us, by the seeming conspiracy to which we are supposed to be a party, than which there can scarcely be a greater barrier to improvement. The patient should be brought by an intelligent and intimate acquaintance, who will be able to give a minute history of the case, or a written account should be transmitted. In the latter should be stated the name, age, married or single, number of children, occupation, degree of education, profession of religion, habits, nativity, residence, predisposing and exciting causes; here give a minute history of the patient from youth up, temperament, peculiarities, disposition, &c.; also the cause supposed to have affected the patient immediately preceeding the attack; state what relatives near or remote, are or have been insane or

peculiar; also what diseases the patient has suffered from, fits, skin diseases, dyspepsia, constipation, piles, ulcers, &c. Give the date of the attack going back to the first noticeable disturbance, no matter how slight; also the duration of the more marked and decided symptoms, the number of attacks (if this be not the first), and if ever before admitted, the number of admissions to this Asylum, and how complete was the recovery in the intervals between the attacks; state fully the condition of the patient at the time of admission, whether suicidal or homicidal, whether he eats, sleeps, strikes, breaks, destroys or is noisy, or inattentive to personal cleanliness, and whatever else may occur to the friends likely to be useful to us.

It is desirable that application for admission be always made before the patient is brought to the Asylum, in reply to which any desired information will be cheerfully furnished. All correspondence about, or with patients should be post paid, and addressed to the Superintendent of the State Lunatic Asylum, Utica, N. Y.

State of New-York.

No. 47.

IN SENATE, JAN. 17, 1852.

REPORT

**Of committee on claims, on the petition of Matthew
Huntington for relief.**

**Mr. Jones, from the committee on claims, to which was referred
the petition of Matthew Huntington,**

REPORTS :

That the said committee have had such petition under consideration and have carefully examined the same and find that the petitioner claims for an arrearage or balance of an award made to him, in consequence of the enlargement of the Erie canal, in the sum of three hundred and sixty-one dollars and forty-four cents, which was due in 1843, but for some reason, not known to him, has not been paid. He further states that when Commissioner Enos passed through Rome, in settling awards, he was surprised to hear him say that he should pay him but one thousand dollars, and that he the petitioner, must give him a receipt for his award and must do so quickly.

Petitioner further states that being in extreme want of money, and in advanced age and in infirm health, having but little time to consider, consented to receive the money and receipt the same.

Your committee have examined the Canal Appraisers books, and find the sum of \$1,361.44, awarded petitioner in 1843, and it is also found, that in the record of payments of awards in the Canal Department,

[Senate, No. 47.]

1

[u.n.]

April 10th, 1843, there is a payment *in full* to the petitioner of \$1,000 the words "in full," written with red ink. A copy of the voucher of this payment, duly certified by the Auditor is as follows:

No. 37.

Rome, May 30th, 1843.

Enlargement of the Erie Canal.

Received of Benjamin Enos, Canal Commissioner, one thousand dollars, viz:

In full for an award of damage made by the Canal Appraisers.

1,000

April 10th, 1843

(Signed)

MATTHEW HUNTINGTON.

I certify that the land and premises for which such damages has been awarded has been taken and appropriated for the public use, and has been taken possession of by the Canal Commissioners in behalf of the State.

BENJAMIN ENOS, Canal Com'r.

CANAL DEPARTMENT,
Albany Jan. 13th, 1852.

}

I certify the foregoing to be a correct copy of a voucher on file in this office.

G. W. NEWELL, Auditor.

With a view of obtaining further information in relation to to this claim, your committee, through its chairman addressed a note of inquiry to the late Canal Commissioner, copies of which note and reply thereto are as follows.

(Copy.)

ALBANY, January, 14th, 1852.

Benjamin Enos, Esq.,

Dear Sir—Matthew Huntington, of Rome, in the county of Oneida, has petitioned the Legislature for a balance of \$361.44, on an award made to him of \$1,361.44, in April, 1843, by the Canal Appraisers, in consequence of the enlargement of the Erie canal. An examination of the books of the Appraisers shows that the above sum was thus awarded; whilst the record of payments in the Canal Department, as well as the voucher taken by you, shows but \$1,000, *being in full*. Will you kindly favor the committee on claims, to whom said petition is referred, an explanation of the discrepancy as to the sum awarded and the amount paid.

Yours, &c.

NATHL. JONES, Chairman.

SIGNED DUPLICATES.

(Copy.)

Albany, January 15th, 1852.

Dear Sir—In answer to your note of the 14th inst., relative to the petition of Matthew Huntington, for relief, I briefly reply, that the difference between the sum awarded and the sum in the voucher, was the result of a mutual settlement of his claim on the payment of \$1,000, instead of the sum awarded. Deeming the award as excessive, it was my duty to take an appeal to the Canal Board, and so stated to Mr. Huntington and others, having no doubt that on a review by that board, the sum awarded would be much reduced; but, on the condition that I would not appeal, or rather that I would pay \$1,000, he would be satisfied, and Mr. H. accordingly took that sum and gave me a receipt in full.

Very respectfully,

BENJAMIN ENOS.

Hon. N. JONES, *Ch'n. Com. on Claims, Senate.*

These statements and circumstances seem to show, quite conclusively, that the petitioner has labored under a misapprehension of any rightful claim to an addition of \$1,000, which was mutually fixed as a full satisfaction of his award, and which appears to have been distinctly understood at the time of its payment. Nor does your committee believe the Commissioner exceeded his powers, or in any wise circumvented the petitioner, in thus adjusting his award.

The committee, on investigating this claim, find that it has been prosecuted with much perseverance by the petitioner, as seen in Assembly journals from 1844 to 1850: see Assembly Journal of 1844, adverse report of committee on claims, made and agreed to Feb. 13, 272; Assembly document, 1844, vol. 3, No. 65; Assembly Journal, 1845, petition presented and referred to committee on canals; Feb. 20, 341; Assembly Journal, 1846, adverse report of committee on claims, March 28, 719, report agreed to; Assembly Journal, 1849, adverse report agreed to Feb. 20, 528; Assembly Journal, 1850, adverse report of committee on canals, and report agreed to January 25, 203.

From the preceding facts and fully concurring in the conclusions of committees which have considered this claim, your committee are of the unanimous opinion that the prayer of the petitioner ought not to be granted.

NATHANIEL JONES,
ELISHA WARD,
JOSIAH B. WILLIAMS,
Committee.

State of New-York.

No. 48.

IN SENATE, FEB. 25, 1852.

REPORT

Of the Committee on militia and public defence, on an act relative to the New-York volunteers.

Mr. Kirby, from the committee on the militia, to which was referred the following resolution:

Resolved, That the act to amend the act entitled an act for the relief of the survivors of the first regiment of New-York volunteers who served in the war with Mexico, be referred to the committee on militia, with instructions to enquire and report upon the propriety of so amending the act of last session as to embrace in its provisions all volunteers in the war with Mexico now residents of this State.

Also to enquire into the expediency of so amending the said bill as to include the surviving soldiers and volunteers in the late war of 1812 with Great Britain, who were at the time of service citizens or residents of this State.

Have had the same under consideration and beg leave to make the following brief

REPORT:

That the State of New-York has surrendered to the general government the right to declare war and to make peace, to levy duties and collect revenues therefrom, and that any general system of pension-

ing the survivors of the war of 1812, or the war with Mexico, cannot be expected to be adopted by the Legislature.

If in case of great suffering and peculiar claims of our volunteers, the treasury of the State is justly drawn upon for such temporary relief; such acts cannot justify a general appropriation as contemplated in the propositions referred to the committee.

The survivors of the war of 1812 have long since, in the natural course of events, placed themselves upon expectations derivable from other sources than governmental bounties for the comforts, competence and luxuries, which in common with all others, they are so justly entitled to.

Those men are honored by their fellow citizens for the valor and patriotism displayed in the campaigns and battles of the second war of independence. Many of them have been promoted to places of honor and emolument, and around the memories of the departed there is clustering an enduring halo of gratitude, infinitely superior to any gratuity which the State may grant to them.

The survivors of the Mexican war are our own citizens, who, at the call of their country, left domestic scenes, friends and relatives that so strongly entwine around the affections, and took upon themselves the severe discipline of the soldier, braving the pestilence of the diseases of a climate to which they were unused, carrying the standard of our Union to the ancient city of the Aztecs, and conquering the peace refused to us upon any other terms than those which made us conquerors of Mexico. They too were the citizen soldiers of the Union, and to the general government they must, of right, look for the remuneration which a grateful people will accord to them.

The success which attended our arms in that glorious struggle, forced upon this nation by the perfidy of Mexican rulers, has demonstrated the safe reliance of the country upon the patriotism of the volunteers, who, from the common pursuits of life, at their country's call, rally to its standard and meet the hostile array of its enemys with the steadiness of veterans and impetuosity of freemen contending for their own rights.

Governments may liberally reward them, for a standing army to meet in any degree the emergencies, the volunteer forces are so com-

petent to encounter, would swallow up millions when hundreds now cover the expenses and costs of offensive and defensive war.

Without expressing any opinion upon the original bill, the committee have come to the conclusion that it should be considered on its own merits and without the amendments proposed.

All of which is respectfully submitted.

M. W. KIRBY,
J. A. McELWAIN.

State of New-York.

No. 49.

IN SENATE, MARCH 1, 1852.

REPORT

**Of committee on claims, on petition of R. Nelson Geere
and Charles W. Steves, for relief.**

The committee on claims to which was referred the petition of R. Nelson Geere and Charles W. Steves, asking for increased compensation for work done and materials furnished for the construction of Crane brook aqueduct, on section 200, and bridges on sections 190, 191, 193 and 194, and culverts on sections 193 and 196 on the Erie canal enlargement,

REPORT:

That they have had the same under consideration, and find that the petitioners entered into contracts with the Canal Commissioners in the summer of 1850, for the construction of Crane brook aqueduct, on section 200, Erie canal enlargement, and the bridges on sections 190, 191, 193 and 194, and also culverts on sections 193 and 196, Erie canal enlargement; the excavation for the aqueduct was supposed to be common earth excavation and was taken at 20 cents per cubic yard, and that there was no reason to suppose that it was of a different character; that instead of its being common earth as was supposed by the engineers and contractors, after excavating the surface the contractors were surprised to find that a great part of the excavation for the pit of the aqueduct consisted of hard pan, so called, of nearly the hardness and consistence of rock, costing at least seventy cents per yard or more, and which could only be re-

moved as other rock material, by blasting; that the quantity of rock excavation was nearly three thousand yards, and which was not provided for by any classification in the contract. Until the law of April 11th, 1849, was passed, taking away the general power of the Canal Board to afford relief in such cases, the case appears to be one that would have been entitled to favorable consideration by that Board. It is not supposed that the policy of that law was to deny all relief in cases attended with so unusual circumstances as this, but to circumscribe it to such cases only, as should in the judgment of the Legislature, present just grounds of exception.

That previous to the fall of 1850, the petitioners with a view to the completion of the said contracts, for building the aqueduct, bridges and culverts aforesaid, had made extensive contracts for the immediate delivery of materials for the said work, such as timber, stone, &c., when the execution of the contracts was suspended by an order of the division engineer having charge of the works, subjecting them to the necessity of compromising by payments, to be relieved from more contracts for materials, which were made on terms highly favorable and advantageous but for such suspension. That the petitioners were permitted to resume the said works some time in July last, when they were forced to encounter a further sacrifice in repurchasing those materials at a greatly increased price over the first contracts, from which they had been thus unfortunately compelled to purchase a release.

Your committee not being aware that a just and wise policy would oppose any obstacle to their relief, ask leave to report a bill for that object.

State of New-York.

No. 50.

IN SENATE, FEB. 23, 1852.

REPORT

**Of the Secretary of State, in answer to resolution of
Senate.**

**SECRETARY'S OFFICE, }
Albany, Feb. 23d, 1852. }**

TO THE HONORABLE THE SENATE :

The following resolution, passed by the Senate Feb. 19th, has been received by the undersigned :

Resolved, That the Secretary of State be requested to inform the Senate when the annual report of births, marriages and deaths, required by section 2, of chap. 152, of Laws of 1847, will be transmitted to the Legislature.

By the provisions of the act referred to in the above resolution, it is made the duty of the Secretary of State to prescribe forms to the local officers designated, through which they are to report to each other, and finally to this department, the statistical information contemplated in the act. I learn from my predecessor in office, that for the last two years, he has forwarded no such forms to such local officers, and that consequently no reports have been received from them. None, for either year, are on file in this department. For these reasons, I am wholly unable to submit my annual report on the subject, as prescribed by law.

Justice to my predecessor requires that I explain the circumstances under which he decided to forward no more forms to the local officers.

By his annual report in regard to births, marriages and deaths for the year 1847, it appears that the proper report of these statistics was not received from seven cities, four counties, and one hundred and seventy-nine towns.

By the Secretary's report of 1848, on the same subject, it appears that the proper reports were not received from seven cities, two counties, and two hundred and twenty-five towns.

By the Secretary's report of 1849, it appears the proper reports were not received from thirty-six counties, and from not a single city in the State.

The printed blanks forwarded by the Secretary were expensive, and required much labor in their preparation and transmission, and finding the law so generally disregarded, that officer after earnestly and ineffectually soliciting its repeal or modification decided to forward no more blanks under its provisions.

All of which is respectfully submitted.

HENRY S. RANDALL,
Secretary of State.

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